

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 16th October, 2024

CALLED FOR DIRECTION:

36. TP/2461/2024
[Original]
(ECHCBM02161402023)
with
WILL/997/2024

) Ms. Indrayani Koparkar, Adv. for the Petitioner.

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P. C. : 1. Perused Petition which is filed online.
Heard Ld. Advocate for the Petitioner. This
Petition is for Probate of Last Will and
Testament of the deceased filed by the
Petitioner Swati Dattatray Limaye Nee
Swati Murlidhar Wadadeka being the sole
Executrix named under the Will of the
deceased. Deceased Murlidhar Raghunath
Wadadekar, said to have died at Mumbai on
12.10.2018. Copy of Death Certificate is
annexed to the Petition. Copy of Aadhaar
Card of the deceased as ID Proof is annexed
to the petition.

2. Ms. Koparkar, Advocate for the Petitioner
submits that deceased left behind him last
Will and Testament which was duly
executed at Mumbai on 15.03.2018. The
said Will is in English language.

3. Ms. Koparkar, Advocate for the Petitioner
submits that deceased was governed under
the Hindu Succession Act, 1956. It is
submitted that the parents and wife of the
deceased predeceased the deceased. The
deceased left Wife, one son and one
daughter. Exh. E, to the petition wife of the
death certificate. Exhibit F is the copy of
death certificate of Uday Murlidhar

) Wadadekar, Son of the Deceased and Exhibit
) "G" is the copy of death certificate of
) Vijayshree Uday Wadadekar, Daughter-in-
) law. Save and except as mentioned in para
) -9, there are no other legal heirs and next
) of kin left by the deceased. The Ld. Adv. for
) the Petitioner submits that the delay in
) making the present Petition is on account of
) the facts that Petitioners was not aware
) about the procedure to obtain Letter of
) Administration of the deceased from this
) Hon'ble High Court, Bombay, hence this
) Hon'ble Court in the interest of justice may
) condone the delay. Thus, the delay is
) explained.

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) 4. Petitioner's Oath is filed. Consent
) Affidavit of grand daughter of the deceased
) as mentioned in para 9 is on record.
) Affidavit of Dr. Ramnath Aiyer, one of the
) attesting witness to the Will is filed.
) Affidavit of service of General Citation is
) filed. All Affidavits are filed online. All other
) legal formalities are complied with. Hence,
) Petition is granted.

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) 5. Office to issue Probate as prayed
) after verifying whether any Cross Petition or
) Caveat is filed.
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16.10.2024

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