

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 16th October, 2024

CALLED FOR DIRECTION:

40. TP/2703/2024
[Original]
(ECHCBM02030102024)
with
WILL/1099/2024

) Mr. D. R. Mishra, 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 Madhu Satya Prakash Goswamy,
) being the sole Executrix named under the
) Will of the deceased. Deceased Satya
) Prakash Goswamy alias S. P. Goswamy Lt.
) CoL, said to have died at Mumbai on
) 17.05.2003. Copy of Death Certificate is
) annexed to the Petition. Copy of Ex-
) Serviceman Card of the deceased as ID
) Proof is annexed to the petition.

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) 2. Mr. Mishra, Advocate for the Petitioner
) submits that deceased left behind him last
) Will and Testament which was duly
) executed at Mumbai on 12.09.1989. The
) said Will is in English language.

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) 3. Mr. Mishra, Advocate for the Petitioner
) submits that deceased was governed under
) the Hindu Succession Act, 1956. It is
) submitted that the parents of the deceased
) predeceased the deceased. The deceased
) left no other son or daughter. 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 filling of this
) Petition may be condoned as the concerned
) authority asked for Probate recently to
) transfer the property in the name of the
) beneficiary. Thus, the delay is explained.
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) 4. Petitioner's Oath is filed. Consent
) Affidavits two son of the deceased as
) mentioned in para 9 are on record. Affidavit
) of Chetan Goswamy, in lieu of the attesting
) witness to the Will is filed, since both the
) attesting witnesses are expired and copies of
) their death certificate are annexed at Exhs.
) E & F. 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

**Addl. Registrar (O.S.) /
Addl. Prothonotary and Senior Master**