

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 27th September, 2024

CALLED FOR DIRECTION:

59. TP/2787/2024
[Original]
(ECHCBM02016402024)
with
WILL/1142/2024

) Ms. Mauzzama Ansari, Adv. for the Petitioner.

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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 Deepak Chandrakant Shah being the sole Executor named under the Will of the deceased. Deceased Snehlata Chandrakant Shah said to have died at Mumbai on 29.01.2004. Copy of Death Certificate is annexed to the Petition. Copy of Pan Card of the deceased as ID Proof is annexed to the petition.

2. Ms. Ansari , Advocate for the Petitioner submits that deceased left behind her last Will and Testament which was duly executed at Mumbai on 04.02.2003. The said Will is in English language.

3. Ms. Ansari, 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. Husband of the Deceased, Mr. Chandrakant Sbivlal Shah died on 20.08.2009. The said deceased has not left any other heirs Save and except as mentioned in para -8, there are no other legal heirs and next of kin left by the

) deceased. The Ld. Adv. for the Petitioner
) submits that the deceased expired on
) 29.01.2004. There has been delay in filing
) of the present petition as Petitioner was
) unaware of legal formalities. The delay may
) therefore be condoned. Thus, the delay is
) explained.

) 4. Petitioner's Oath is filed. There is
) affidavit of service dated 02.08.2024 filed
) by Sheriff office showing service upon two
) non consenting daughters of the deceased as
) mentioned in Para 8. filed by Affidavits of
) Yogesh Dhirajlal Shah, 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.

) 5. Office to issue Probate as prayed
) after verifying whether any Cross Petition or
) Caveat is filed.
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27.09.2024

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