

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 27th September, 2024

CALLED FOR DIRECTION:

60. TP/2869/2024
[Original]
(ECHCBM02013292024)
with
WILL/1156/2024

) Mr. Shubham Jadhav, Adv. a/w. Sweta Moghe for the
) Petitioner.

)
) 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 Sudhir Chandrakant Anandpara
) being the sole Executor named under the
) Will of the deceased. Deceased Chandrakant
) Chunilal Anandpara said to have died at
) Mumbai on 11.10.2012. 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. Mr. Jadhav, Advocate for the Petitioner
) submits that deceased left behind him last
) Will and Testament which was duly
) executed at Mumbai on 17.09.2016. The Ld.
) Adv. for the Petitioner submits that in Para 4
) of the Petition though it is mentioned that
) the said Will is registered, the Will is
) unregistered and she may be permitted to
) correct Para 4 accordingly. The Ld. Adv. for
) the Petitioner undertakes to correct the said
) Para 4 during the course of the day and
) upload within two days from the date of
) uploading of this order. The said Will is in
) English language.
)

) 3. Mr. Jadhav, 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 Wife of the
) deceased i.e. Gulab Chandrakant Anandpara
) died on 08.01.2006. The Deceased left three
) sons and no daughter. Save and except as
) mentioned in para -10 there are no other
) legal heirs and next of kin left by the
) deceased. The Ld. Adv. for the Petitioner
) submits that the the delay in making the
) present Petition is on account of the facts
) that Petitioner was not aware about the
) procedure to obtain probate of Will of the
) both 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.
)

) 4. Petitioner's Oath is filed. Consent
) Affidavits of two sons of the deceased as
) mentioned in Para 10 are on record.
) Affidavits of Mahesh Jamnadas Anandpara,
) 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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27.09.2024

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