

ary

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 26th August 2024.

CALLED FOR COMPLIANCE :

34. TP/2883/2024

[Original]

(ECHCBM02069042024)

with

WILL/1169/2024

) **Mr. Jayant Wani, Advocate 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 Chandresh Vinodrai Parekh, being one of the Executors named under the Will of the deceased. Deceased Neil Shirish Ghelani, said to have died at Santa Clare, State of California on 20.11.2020. Copy of death certificate is annexed to the Petition. For identification proof of the deceased, copy of Aadhar Card is annexed to the Petition.

2. Mr. Wani, Advocate for the Petitioner submits that deceased left behind him, last Will and Testament which was duly executed at Mumbai, on 10.06.2020. The said Will is in English language.

3. Mr. Wani, Advocate for the Petitioner submits that deceased was governed under the Hindu Succession Act 1956. It is submitted that the deceased has left his widow and mother according to Hindu Succession Act, 1956. The deceased had no issue from his wed-lock. Save and except as mentioned in para – 8, there are no other legal heirs left by the deceased. The Ld. Advocate for the Petitioner submits that Petitioner states that The Petitioner states that he was not aware

) about legal proceedings to transfer the Flat.
) The society insists a legal certificate from the
) Competent Court. Hence this petition is filed.
) The delay in filing this Petition may be
) condoned. Thus, the delay is explained.
)

) 4. Petitioner's Oath is filed. The Other
) Executor viz. Rajendra Shantilal Sarvaiya has
) renounced his right by filing Affidavit dated
) 18.03.2024. Joint Consent Affidavit of widow
) and mother of the deceased as mentioned in
) para – 8 are on record. Affidavit of Dipak C.
) Ghelani, one of the attesting witness to the
) Will is filed. Affidavit of service of General
) Citation is filed. All the Affidavits are also 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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26.08.2024

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