

ary

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 21st October, 2024.

CALLED FOR COMPLIANCE :

25. TP/2997/2024
[Original]
(ECHCBM02078912024)
with
WILL/1200/2024

) **Mr. N. R. Gandhi, Advocate for the Petitioner.**

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PC.: 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 Vijay Vrindavan Vora, being one of the Executors named under the Will of the deceased. Deceased Jaya Vrindavan Vora alias Jaya V. Vora, said to have died at Mumbai on 13.10.2007. Copy of death certificate is annexed to the Petition. For identification proof of the deceased, copy of Pan Card is annexed to the Petition.

2. Mr. Gandhi, Advocate for the Petitioner submits that deceased left behind her last Will and Testament which was duly executed at Mumbai, on 22.04.2004. The said Will is in English language.

3. Mr. Gandhi, Advocate for the Petitioner submits that deceased was governed under the Hindu Succession Act 1956. It is submitted that the parents and husband of the Deceased pre-deceased the Deceased. Exhibit – C to the Petition is the copy of death certificate of the husband of the deceased. The deceased has two sons and no daughter. Save and except as mentioned in para – 6, there are no other legal heirs and next of kin left by the deceased. The Ld. Advocate for the Petitioner submits

) that the Petitioner had filed in this Hon'ble
) Court a Petition for Succession Certificate in
) respect of Securities left behind by the
) deceased being T & I J Petition No. 610 of
) 2016 and same was granted to the Petitioner
) on 19th November 2016. The Petitioner has
) now filed the above Petition to obtain Probate
) in respect of the Last Will dated 22.04.2024
) as the original Will was not traceable. The
) Petitioner only recently traced the said Will of
) his mother who died in October 2007. The
) Petitioner, as Executor named in the said Last
) Will of the deceased, has therefore filed the
) above Petition as expeditiously as possible
) after obtaining the Consent of his elder
) brother, who ordinarily resides in USA and was
) in Mumbai for a short period. The delay in
) filing the above Petition was not deliberate or
) wilful and deserves to be condoned. Thus, the
) delay is explained.

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) 4. Petitioner's Oath is filed. The other
) Executor, of Arun M. Vora, has filed his
) Affidavit dated 17.10.2024 reserving his right
) as Executor. Consent Affidavit of son of the
) deceased as mentioned in para – 6 is on
) record. Affidavit of Jayesh D. Buddhadev, 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.

) 5. Office to issue Probate as prayed after
) verifying whether any Cross Petition or Caveat
) is filed.
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21.10.2024

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