

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 16th October, 2024

CALLED FOR DIRECTION:

47. TP/3119/2024
[Original]
(ECHCBM02092692024)
with
WILL/1238/2024

) Mr. Yogesh Bamne, Adv. for Petitioners.

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P. C. : 1. Perused Petition which is filed online.
Heard Ld. Advocate for Petitioners. This
Petition is for Probate of Last Will and
Testament of the deceased filed by
Petitioners Vijay Kumar Motiram Vaswani
and Dinesh Kumar Motiram Vaswani being
the sole Executor named under the Will of
the deceased. Deceased Motiram Rochiram
Vaswani said to have died at Mumbai on
14.05.2022. Copy of Death Certificate is
annexed to the Petition. Copy of Aadhaar
Card of the deceased as ID Proof is annexed
to the petition.

2. Mr. Bamne, Advocate for Petitioners
submits that deceased left behind him last
Will and Testament which was duly
executed at Mumbai on 21.04.2022. The
said Will is in English language.

3. Mr. Bamne, Advocate for Petitioners
submits that deceased was governed under
the Hindu Succession Act, 1956. It is
submitted that the Parents and wife of the
deceased predeceased the deceased. Exh. F
is a death certificate of wife Lila Motiram
Vaswani. Deceased left two sons and no
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 making the present Petition is on account
) of the facts that Petitioners are ignorant and
) unaware of obtaining any legal
) representation. Now the Petitioners have
) been recently advised to obtain a legal
) representation. Hence this Hon'ble Court in
) the interest of justice may condone the
) delay. Thus, the delay is explained.
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) 4. Petitioners' Oath are filed. Affidavit of
) Manisha Vaswani, one of 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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16.10.2024

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