

ary

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 29th November, 2024.

CALLED FOR SPEAKING TO THE MINUTES :

9. TP/3170/2024

(ECHCBM02048282024)

with

WILL/1273/2024

) **Ms. Priyanka Srivastava i/b Auris Legal, Advocate**
) **for the Petitioner.**

) **P.C.:** Suo-Moto

)
) 1. Office has informed that while preparing the
) grant in order dated 11.10.2024, averment of
) other two Executrices is not mentioned in para
) - 4 of order dated 11.10.2024 and in prayer
) clause of the Petition.

)
) 2. In view of above, order dated 11.10.2024 is
) modified by adding "The other two Executrices
) viz. Ranjan Vinod Makwana and Payal
) Makwana have filed their Affidavits both dated
) 19.04.2024 renouncing their rights as
) Executrices." Rest of the order remains as it is.

)
) For the sake of convenience, the order dated
) 11.10.2024 read as under;

)
) 3. 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 Chirag Makwana, **being one of the**
) **Executors** named under the Will of the
) deceased. Deceased Vinod Purushottam
) Makwana, said to have died at Mumbai on
) 13.09.2023. Copy of Death Certificate is
) annexed to the Petition. Copy of Aadhaar Card
) of the deceased as ID Proof is annexed to the
) Petition.

) 4. Ms. Srivastava, Advocate for the
) Petitioner submits that deceased left behind
) him last Will and Testament which was duly
) executed at Mumbai on 25.08.2021. The said
) Will is in English language.
)

) 5. Ms. Srivastava, 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. Save and except as mentioned in
) para -10, there are no other legal heirs and
) next of kin left by the deceased.
)

) 6. Petitioner's Oath is filed. **The other two**
) **Executrices viz. Ranjan Vinod Makwana and**
) **Payal Makwana have filed their Affidavits both**
) **dated 19.04.2024 renouncing their rights as**
) **Executrices. The Ld. Advocate to amend prayer**
) **clause by mentioning the renouncing right of**
) **remaining other two Executrices within three**
) **days from the date of uploading of the order.**
) **Re-verification is dispensed with.** Consent
) Affidavits of wife and daughter of the deceased
) as mentioned in para - 10 are on record.
) Affidavits of Surya Mohan Jha, and Suraj
) Narayan, both the attesting witnesses to the
) Will are 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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) 7. Office to issue Probate as prayed after
) verifying whether any Cross Petition or
) Caveat is filed.
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29.11.2024

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