

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 24th October, 2024

CALLED FOR DIRECTION:

35. TP/3328/2024
[Original]
(ECHCBM02086722024)
with
WILL/1341/2024

) Mr. Zulfiq Multani a/w. Jayant Wani, Adv. i/b. Manoj
) Kumar Mishra 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 Sanotsh D. Kaushal being the sole
) surviving Executor named under the Will of
) the deceased. Deceased Padma Sahgal, said
) to have died at Mumbai on 28.07.2020.
) Copy of Death Certificate is annexed to the
) Petition. Copy of Aadhaar Card of the
) deceased as ID Proof is annexed to the
) petition.
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) 2. Mr. Multani, Advocate for the Petitioner
) submits that deceased left behind her last
) Will and Testament which was duly
) executed at Mumbai on 07.02.2018. The
) said Will is in English language.
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) 3. Mr. Multani, 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 deceased
) died as spinster. 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 there has been a delay in filing

) this petition because the petitioner was
) aware of Probate but not aware of the
) limitation for obtaining a Probate certificate.
) Recently, the petitioner sought legal advise
) and representation from their advocates.
) The delay may not have been intentional,
) and therefore, in the interest of justice, the
) delay in filing the petition should be
) condoned. Thus, the delay is explained.
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) 4. Petitioner's Oath is filed. The Other
) Executrix Sanyogta Bimbhat has expired on
) 16.08.2019 and Exh. D to the petition is a
) copy of her death certificate. Affidavits of
) Sanotsh D. Kaushal and Pandurang D.
) Tmabli, 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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) 5. Office to issue Probate as prayed
) after verifying whether any Cross Petition or
) Caveat is filed.
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24.10.2024

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