

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 9th October, 2024

CALLED FOR DIRECTION:

47. TP/3556/2024
[Original]
(ECHCBM02103852024)
with
WILL/1402/2024

) Ms. Prachi Shah, Adv. for the Petitioner.

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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 Petitioner the Amit Jagannath Shetty being the sole Executor named under the Will of the deceased. Deceased Savita Gopal Shetty said to have died at Mumbai on 11.06.2017. Copy of Death Certificate is annexed to the Petition. Copy of Pan Card of the deceased as ID Proof is annexed to the petition.

2. Ms. Shah, Advocate for the Petitioner submits that deceased left behind her last Will and Testament which was duly executed at Mumbai on 10.03.2016. The said Will is in English language.

3. Ms. Shah, 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. Husband of the deceased also deceased on 14.02.2023. The said deceased left no other daughters and no other sons. Save and except as mentioned in para -8, there are no other legal heirs and next of kin left by the deceased. The Ld. Adv. for the Petitioner

) submits that the delay is on account of the
) fact that Petitioner was ignorant and
) unaware of obtaining any legal
) representative. Now the petitioner has been
) recently advised to obtain a legal
) representative. Hence this Hon'ble Court in
) the interest of justice may condone the
) delay. Thus, the delay is explained.
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) 4. Petitioner's Oath is filed. Consent
) Affidavits of two sons and one daughter of
) the deceased as mentioned in para 8 are on
) record. Affidavit of Jyothi Naveena Shetty,
) one of the 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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09.10.2024

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