

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 22nd October, 2024

CALLED FOR DIRECTION:

39. TP/3645/2024
[Original]
(ECHCBM02115302024)
with
WILL/1421/2024

) Ms. Sneha Agicha, Adv. i/b. D. M. Harish & Co., for the
) Petitioner.
)

) 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 and Codicil of the deceased filed
) by the Petitioner Karan Jagdish Valecha,
) being one of the Executors named under
) the Will of the deceased. Deceased Padma
) Kishinchand Valecha alias Padma
) Kishanchand Valecha alias Padma
) Kishimchand Valecha, said to have died at
) Mumbai on 02.01.2024. 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. Ms. Agicha, Advocate for the Petitioner
) submits that deceased left behind her last
) Will and Testament and Codicil which was
) duly executed at Mumbai on 17.06.2016
) and 02.06.2022 respectively. The said Will
) and Codicil dated are in English language.
)

) 3. Ms. Agicha, Advocate for the Petitioner
) submits that deceased was governed under
) the Hindu Succession Act, 1956. It is
) submitted in Para 11 the Act is wrongly
) mentioned as Indian Succession Act and the
) Ld. Adv. for the Petitioner may be permitted
)

) to correct the same as Hindu Succession Act.
) The said correction be carried out within
) three days from the date of uploading of this
) order. Re-verification is dispensed with. It is
) submitted that the Parents and husband of
) the deceased predeceased the deceased.
) Exh. F is a copy of death certificate of the
) husband of the deceased. The Deceased did
) not leave any other son and daughter or any
) other children. Save and except as
) mentioned in para -11, there are no other
) legal heirs and next of kin left by the
) deceased.
)

) 4. Petitioner's Oath is filed. The Other three
) Executors Jagdish Kishinchand Valecha alias
) Jagdish Kishanchand Valecha, Rina Jagdish
) Valecha alias Reena Jagdish Valecha Maiden
) Name: Rina Gopaldas Murlidhar Gwalani
) and Kapil Jagdish Valecha, have filed their
) affidavit dated 18.10.2024 reserving their
) rights as Executors. Consent Affidavits of
) daughter and son of the deceased as
) mentioned in para 11 are on record.
) Affidavits of Bina Hiren Narsey and Suman
) Kishanchand Aggarwal, of the attesting
) witnesses to the Will and Codicil
) respectively 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.
)

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

22.10.2024

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