

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 22nd October, 2024

CALLED FOR DIRECTION:

40. TP/3670/2024	)	Mr. Shivam Gupta, Adv. i/b. DG. Tripathi for the Petitioner.
[Original]	)	
(ECHCBM02072712024)	)	
with	)	
WILL/1444/2024	)	
	)	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 Kiran C. Dedhia, being one of the
	)	Executors named under the Will of the
	)	deceased. Deceased Prem Tolaram Ajwani,
	)	said to have died at Mumbai on 21.05.2020.
	)	Copy of Death Certificate is annexed to the
	)	Petition. Copy of Aadhaar Card of the
	)	deceased as ID Proof is annexed to the
	)	petition.
	)	
	)	2. Mr. Gupta, Advocate for the Petitioner
	)	submits that deceased left behind him last
	)	Will and Testament which was duly
	)	executed at Mumbai on 01.12.2018. The
	)	said Will is in English language.
	)	
	)	3. Mr. Gupta, 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 -7, there are no other
	)	legal heirs and next of kin left by the
	)	deceased. The Ld. Adv. for the Petitioner
	)	submits that the Petitioner being layman
	)	could not avail legal representation and

) could not file the petition within the
) limitation period and there is delay of more
) than 8 months and the same be condoned in
) the interest of justice. Thus, the delay is
) explained.

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) 4. Petitioner's Oath is filed. The Other
) executrix Loveena Jeevan Kathpal has filed
) her affidavit dated 20.03.2024 renouncing
) rights as Executor. Consent Affidavits of
) widow, son and daughter of the deceased as
) mentioned in para 7 are on record. Affidavit
) of Mohan Kathpal, 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.

22.10.2024

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