

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 16th October, 2024

CALLED FOR DIRECTION:

59. TP/3780/2024
[Original]
(ECHCBM02080332024)
with
WILL/1487/2024

) Mr. Prabhu Velar, 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 the Petitioner Ved Prakash Singh s/o Tejpal Singh being the sole Executor named under the Will of the deceased. Deceased Tejpal Singh alias Tejpal Dhan Singh said to have died at Modhi, Uttar Pradesh on 21.01.2014. 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. Mr. Velar, Advocate for the Petitioner submits that deceased left behind her last Will and Testament which was duly executed at Mumbai on 24.02.2006. The said Will is in English language.

3. Mr. Velar, 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 left widow, two sons and three daughters. 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 in filing the
) above petition is because the petitioner was
) not aware of obtaining the legal
) representation and since the member ship of
) the Flat in society was transferred in the
) name of the Legatee the Petitioner was
) under the impression that the Probate was
) not required it only when the Petitioner
) approached bank for obtaining loan that he
) was asked for Probate hence the delay. In
) the interest of natural justice, the said delay
) be condoned. Thus, the delay is explained.
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) 4. Petitioner's Oath is filed. Consent
) Affidavits of widow, two sons and three
) married daughters of the deceased as
) mentioned in para 8 are on record. Affidavit
) of Mahesh Narandas Manek, 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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16.10.2024

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