

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 22nd October, 2024

CALLED FOR DIRECTION:

43. TP/3800/2024
[Original]
(ECHCBM02112742024)
with
WILL/1501/2024

) Mr. Manish P. Gitay, Adv. 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 Narendra Amratlal Popat, being
the sole Executor named under the Will of
the deceased. Deceased Jaya Govindji, w/o
Late Shri Amratlal Khimji Popat, said to
have died at Mumbai on 04.04.2018. 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. Gitay, Advocate for the Petitioner
submits that deceased left behind her last
Will and Testament which was duly
executed at Mumbai on 18.08.2016. The
said Will is in English language.

3. Mr. Gitay, Advocate for the Petitioner
submits that deceased was governed under
the Hindu Succession Act, 1956. It is
submitted that the Parents and husband of
the deceased predeceased the deceased.
The deceased died leaving behind her two
sons and one married daughter as her only
legal heirs. The Petitioner is the Son of the
Deceased. 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 the delay
) in making the present petition is on account
) of the fact the Petitioner was ignorant and
) unaware of obtaining legal representation.
) 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 son and one married daughter
) of the deceased as mentioned in para 9 are
) on record. Affidavit of Dilip Dhanji
) Katharani, 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.) /
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