

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 24th October, 2024

CALLED FOR DIRECTION:

49. TP/3967/2024
[Original]
(ECHCBM02141602024)
with
WILL/1569/2024

) Ms. Jyoti Badgujar, Adv. i/b. Lakdawala & Co., 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 Anita Manohar Mandhle being
)
) the sole Executrix named under the Will of
)
) the deceased. Deceased Lt. Col. Manohar
)
) Madhusudan Mandhle alias Manohar M.
)
) Mandhle alias Mandhle Manohar Son of
)
) Madhusudan, said to have died at Mumbai
)
) on 13.07.2000. Copy of Death Certificate is
)
) annexed to the Petition. Copy of Election
)
) Card of the deceased as ID Proof is annexed
)
) to the petition.

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) 2. Ms. Badgujar, Advocate for the Petitioner
) submits that deceased left behind him last
)
) Will and Testament which was duly
)
) executed Mumbai on 10.09.1999. The said
)
) Will is in English language.

)

) 3. Ms. Badgujar, Advocate for the Petitioner
) submits that deceased was governed under
)
) the Hindu Succession Act, 1956. The said
)
) Deceased died leaving behind Widow, 1 Son
)
) and 1 Daughter. The MOTHER of the said
)
) Deceased Mrs. Vatsala Madhusudan
)
) Mandhle died before 1950. she pre-deceased

)

) the Deceased. The WIFE of the Deceased
) Mrs. Kusum Manohar Mandhle died on 26-
) 4- 2024 Exhibit C' to the petition is a photo
) copy of the death certificate she since
) deceased the Deceased. 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 present
) Petition is on account of the fact that
) Petitioner was Ignorant and unaware of
) obtaining any legal representation recently
) he has been advised to obtain the same
) hence delay in filing the Petition be
) condoned in interest of justice. Thus, the
) delay is explained.

)
) 4. Petitioner's Oath is filed. Consent
) Affidavit of son of the deceased as
) mentioned in para 8 is on record. Affidavit
) of Aloysius C D'souza, one of the attesting
) witnesses 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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24.10.2024

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