

ary

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 14th November, 2024.

CALLED FOR COMPLIANCE :

56. TP/4188/2024
[Original]
(ECHCBM02240652023)
with
WILL/1662/2024

) **Ms. Pranjali Bhandari, Advocate 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 Nandkishore Keshavlal Mehta, being the Sole Executor named under the Will of the deceased. Deceased Gangadevi Keshavlal Mehta alias Gangadevi K. Mehta alias G. K. Mehta, widow of Late Keshavlal Pannalal Mehta, said to have died at Mumbai on 11.04.2016. Copy of death certificate is annexed to the Petition. For identification proof of the deceased, copies of Aadhar Card and Pan Card are annexed to the Petition.

2. Ms. Bhandari, Advocate for the Petitioner submits that deceased left behind her last Will and Testament which was duly executed and registered at Mumbai, on 20.04.2013. The said Will is in English language.

3. Ms. Bhandari, Advocate for the Petitioner submits that deceased was governed under the Hindu Succession Act 1956. It is submitted that the husband of the deceased pre-deceased the deceased on 20.07.2010. The Deceased only had three children. Save and except as mentioned in para – 10, there are no other legal heirs or next of kins left by the deceased.

) The Ld. Advocate for the Petitioner submits
) that there has been a gap of more eight years
) from the death of the deceased as the
) Petitioner was unaware of the legal formalities
) and the necessity of obtaining a Probate. The
) Petitioner needed time to collate the
) information and take steps to file the present
) Application. Thus, there has been a delay of
) approximately eight years in the filing of the
) present petition for Probate and the same may
) kindly be condoned by this Hon'ble Court in
) the interest of justice. Thus, the delay is
) explained.

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) 4. Petitioner's Oath is filed. Consent Affidavit
) of Manjula Narayandas Sharda, one married
) daughter, of the deceased as mentioned in
) para – 10 is on record. There is Affidavit dated
) 16.10.2024 filed by the Sheriff office showing
) service of citation upon non-consenting
) married daughter of the deceased viz. Maya
) Satish Malani. Affidavit of Ravi D. Nadar, one
) of the attesting witness to the Will is filed.
) Affidavit of service of General Citation is filed.
) All the Affidavits are also 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.
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14.11.2024

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