

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 18th October, 2024

CALLED FOR DIRECTION:

41. TP/4235/2024
[Original]
(ECHCBM02013352024)
with
WILL/1685/2024

) Mr. S. A. K. Najam-Es-Sani, 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 Joya Amrita Rajadhyaksha being
the sole Executrix named under the Will of
the deceased. Deceased Ashok Govind
Rajadhyaksha, said to have died at Mumbai
on 16.09.2017. 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. Najam-Es-Sani, Advocate for the
Petitioner submits that deceased left behind
him last Will and Testament which was duly
executed at Mumbai on 21.05.2017. The
said Will is in English language.

3. Mr. Najam-Es-Sani, 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.
predeceased the said deceased having died.
in April 1995 (Mrs. Indira .Rajadhyaksha)
and September 2006 (Mr. Govind Hari
Rajadhyaksha). That the wife of the
deceased viz. Moyna Ashok Rajadhyaksha,

) predeceased the said deceased having died
) on 13th January 2012. The said deceased
) had only a daughter the Petitioner
) abovenamed and had no other child. 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
) present Petition is on account of the fact
) that Petitioner was ignorant and unaware of
) obtaining any legal representation. Now
) Petitioner has been orally advised to obtain
) a legal representation. Hence this Hon'ble
) court in the interest of justice may condone
) the delay in filing present Petition. Thus,
) the delay is explained.

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) 4. Petitioner's Oath is filed. Affidavit of
) Premila Cowas Nazir, 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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18.10.2024

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