

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 13th November, 2024

CALLED FOR DIRECTION:

63. TP/4567/2024
[Original]
(ECHCBM02086152024)
with
WILL/1824/2024

) Mr. Kunal Jadhav, 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 Prabha George David being the sole Executrix named under the Will of the deceased. Deceased Ganpat Govind Yerde@ Ganpat Govind Yerande, said to have died at Mumbai on 25.12.2019. 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. Jadhav, Advocate for the Petitioner submits that deceased left behind him last Will and Testament which was duly executed at Mumbai on 19.04.2014. The said Will is in English language.

3. Mr. Jadhav, 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 has wife , one son and No Daughter and. 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 Petitioner state

) that late Ganpat Govind Yerde @ Ganpat
) Govind Yerande , died on 25/12/2019 and
) after few days the petitioners made an effort
) to trace the will on 16th January 2024.
) Petitioners has got the aforesaid Original
) Notary Will which was executed by Ganpat
) Govind Yerde @ Ganpat Govind Yerande
) and the petitioners came to know that the
) properties belonging to the deceased which
) was mentioned in the said will. There is
) delay of 15 months in filing the present
) Petition before this Hon'ble Court and the
) same is not intentional nor deliberate and
) the said delay deserves to be condoned in
) the interest of justice. Thus, the delay is
) explained.

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) 4. Petitioner's Oath is filed. Consent
) Affidavits of wife and son of the deceased
) as mentioned in para 9 are on record.
) Affidavit of Marsa Mundu, one of the
) attesting witness to the Will is filed.
) Affidavit of service of General Citation is
) filed. All Affidavits ate 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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13.11.2024

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