

**BEFORE : MRS. R. V. RANE ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 19th December, 2024**

CALLED FOR COMPLIANCE :

223 TP/5134/2024
AMH20240131959C202400007
with
WILL/2051/2024

Ms. Pratiksha Koshe, i/b. Divekar Bhagwat and Co, Advocate for petitioner

- PC :** 1. Perused Petition. Heard Ld. Advocate for petitioner. This petition is for Probate of last Will and Testament of deceased namely Satish Manohar Kelkar. The said deceased died at Mumbai on 03.10.2023. Copy of death certificate of deceased is annexed to the petition at Exhibit “A”. Copy of Identification proof of deceased viz. copies of Pancard and Aadhaar Card are annexed to the petition at Exhibit – “A-1” and “A-2” respectively.
2. Ld. Advocate for petitioner submits that deceased left behind his last Will and Testament which was duly executed at Mumbai on 10.08.2017. The said Will is in English language and copy of the same is annexed to the petition at Exhibit – “B” and original is handed in separately for being filed and kept in safe place in the office of the Prothonotary and Senior Master of this Hon'ble Court.
3. Ld. Advocate for petitioner submits that petitioner being sole Executrix appointed under the Will and Testament of deceased.
4. Ld. Advocate for petitioner submits that deceased left behind his legal heirs shown in the paragraph No. 8 of the petition, as per the provisions of the Hindu Succession Act, 1956. Parents viz. Father and Mother of deceased predeceased the deceased. Deceased was survived by wife namely Sonali Satish Kelkar (Petitioner herein), daughter namely2

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Radhika Aditya Bawa nee Radhika Satish Kelkar and son namely Rohan Satish Kelkar. Consent Affidavit of Radhika Aditya Bawa dated 12.08.2024 is filed. Consent Affidavit of Rohan Satish Kelkar dated 12.08.2024 is filed. The petitioner affirmed that there are no other legal heirs of the deceased other than mentioned in para No. 8 of the petition.

5. Ld. Advocate for petitioner further submits that as regards the properties mentioned in the Will and not shown in the schedule, description thereof is given in para 6 of the petition. Deceased left behind him the properties mentioned in Schedule I annexed to the petition and petitioner has paid the court fees accordingly.

6. Petitioner's oath is filed. Deceased left behind Will which is annexed to the petition at Exhibit – “B” is duly executed and witnessed by two attesting Witnesses namely Sandeep H. Junnarkar and Mumtaz M. Bandukwala and as per the provisions of Rule 374 of the Bombay High Court (Original Side) Rules, 1980, Affidavit of Mumtaz M. Bandukwala dated 30.08.2024 one of the Attesting Witnesses to the Will is filed and the same is on record.

7. It is to be noted that deceased has specifically mentioned in para No. 12 of the Will that “I am making this my last Will consciously and in full and, disposing mind and full effect be given to this' Will.”

8. In the present petition, General Citation was issued on 13.11.2024 and Affidavit of Service of General Citation to that effect is filed on 16.12.2024. Notice to Collector is issued. All other legal formalities are complied with.

9. After perusal of the petition, Will and submission made by Advocate for petitioner, the petition deserves to be allowed, as prayed for. Hence, following order :

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ORDER

- 1) Petition is allowed and probate be granted to the Petitioner herein having effect throughout India.
- 2) Before issuance of above said Probate, office to verify that there is no cross Petition is pending or caveat is filed. Office to act accordingly.

19.12.2024

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**