

Before: Shri. P. A. Jagdale,
Officer on Special Duty,
With the Testamentary Department
Date: 04th November, 2025

FOR COMPLIANCE:

117. TP/4535/2024	) Ms. Aarti Chaurasiya Ld. Advocate for the
with	)
WILL/1808/2024	) Petitioner
	)

P. C.:

1) Petitioners, namely (1) Siddharth Anand Deliwala and (2) Jubit Anand Deliwala, filed this petition, being the representative of the sole legatee, namely Anand Deliwala, under the Will executed by Kantilal Vadiyal Deliwala (herein after the same is referred to as "Testator"), for the grant of a Letters of Administration with Will annexed. The Said Testator said to have died at Mumbai on 02-08-2006.

2) Earlier, Anand Deliwala filed the petition for the grant of the letters of administration in respect of the present Will. However, due to death of the said executor, present petition has been converted into Letters of Administration with Will Annexed, vide an order passed in the IA(L) 11433/2024.

3) Perused petition. Heard Ld. Advocate for the petitioner. Perused documents. Petitioners, filed the copy of death certificate, an identity proof of the testator, Will and petitioner's oath.

4) The petitioner has explained the delay vide Rule 382 of the Bombay High Court (Original Side) Rule, 1980(for short "Rules").

5) No executor has been appointed under the Will. The petitioner are the Representative of the sole legatee under the Will. Hence, the petition is tenable.

6) Petitioner stated that the deceased left behind his last Will and Testament, which was duly executed at Mumbai on 25.07.2000, in Gujarathi language. In view of the Order of the Hon'ble Court passed in the TP No. 1263/2023, on 31.10.2025, Ld. The advocate for the petitioner has filed an affidavit stating that the translation of the Will is a true translation as per the contents of the Original Will. The Will is handed in separately for being filed and kept in a safe place in the Office of the Prothonotary and Senior Master, High Court, Bombay.

7) Ld. The advocate for the petitioner submits that the testator is survived by legal heirs, whose details are given in the petition's paragraph No. 09 and 9A, as per the provisions of Hindu Succession Act, 1956. The petitioner affirmed that there are no other legal heirs of the deceased, except as mentioned in the petition.

8) Citation to non-consenting legal heirs of the deceased, namely Ram Deliwala, was issued and it has been Served him on 13.12.2024 by sheriff as per BHC Rules. Said heir had filed a Caveat having CTS(L)/10836/2024. However, it is rejected vide Rule 986 of the Bombay High Court (O. S.) Rules, 1980.

9) Citation was issued, which has been duly affixed on the conspicuous part of the Hon'ble High Court and notice board of the Collector's Office at Mumbai and 14 days have been expired vide Rule 397(1) and (4) of the Bombay High Court (O.S.) Rules, 1980(for short "BHC Rules") and an affidavit to that effect has been filed. Notice to collector has been issued vide Rule 396 of BHC Rules. Till today, no one appeared to resist the claim of the petitioner or nothing is brought to the notice regarding pending litigation pertaining to the same properties. Hence, the petition is treated as uncontested one.

10) The petitioner has filed the affidavit of Mansukhlala Bavisi one of attesting Witnesses to the Will, in form No.102 of Bombay High Court (Original Side) Rules, 1980. He deposed that deceased signed the Testament in his presence. Hence, enough evidence is on record to accept the execution of the Will and petitioner is succeeded to prove the execution of Will.

11) Properties mentioned in the schedule-I of the petition are referred in the Will.

12) Petitioner has executed the administration Bond in the prescribed format. Hence, following order:

ORDER

- 1) Petition is granted.
- 2) Office to issue Letters of Administration with Will annexed to the petitioner, as per the Rules, having effect throughout State of Maharashtra.
- 3) Before issuance of Letters of Administration with Will, the office to verify that there is no cross Petition is pending or caveat is filed. Office to act accordingly.
- 4) In view of the order dated 07.10.2025 passed in IA/3350/2024, the grant is expedited.

04th November, 2025

**Officer on Special Duty,
with Testamentary Department**