

BEFORE : MRS. K. Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 20th June, 2025

CALLED FOR HEARING :

6 TP/250/2025 (E-filing)

Mr. Sameer Logade, Advocate for petitioner

- P.C.:**
1. Perused Petition. Heard Ld. Advocate for petitioner. This petition is for Probate of last Will and Testament of deceased filed by petitioner namely Ramesh Kumar Motilal Gupta being one of the Executors named under the Will of deceased. The deceased namely Gomtidevi Motilal Gupta died at Mumbai on 22.06.2023. Copy of death certificate is annexed to the petition. Identification proof of deceased viz. copy of Aadhaar Card is annexed to the petition.
 2. The deceased left behind her last Will and Testament which was duly executed at Mumbai on 08.06.2011. The said Will is in English language. The Para No.1 of the Will refers to the appointment of Executor. Only four Executor appointed under the Will. Petitioner is one of the executors and another executor namely Prakashchand Motilal Gupta and Pawankumar M. Gupta have filed Affidavits for renouncing their rights dated 07.12.2024 and 02.01.2025 respectively. Remaining executor namely Shankarlal Motilal Agarwal has expired on 19.05.2015 and copy of death certificate is annexed to the petition as Exhibit – “F”.
 3. Ld. Advocate for petitioner submits that parents of deceased predeceased the deceased. One son of deceased namely Shankarlal Motilal Agarwal died on 19.05.2025 leaving behind his widow and three sons. Deceased was survived by three sons, two daughters, daughter-in-law and three grandsons. Out of them one son is petitioner herein and all other legal heirs have given their consents in favour of the petitioner. Consent Affidavits are on record. There are no other legal heirs.
 4. Petitioner's oath is filed. Affidavit of Kamal Shankarlal Agarwal dated 07.12.2024 one of the Attesting Witness to the Will is filed. Affidavit of Service of General Citation dated 14.02.2025 is filed.
 5. **As the rest of executor have renounced their rights hence, petitioner is required to amend the prayer clause.** Leave to amend the prayer clause is granted. Ld. Advocate for petitioner to carry out amendment within eight weeks from the date of uploading of this order. Ld. Advocate for petitioner re-upload the amended petition on the official portal of the Bombay High Court.
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6. **From the board, it is seen that there are two numbered Wills in the present matter hence, office to very and report the same.** Ld. Advocate for petitioner file praecipe to place on board as and when the matter is ready for final grant. Hence, remove from board.

20.06.2025**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**