

**BEFORE : MRS. R. V. RANE ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 16th January, 2025**

CALLED FOR HEARING :

21 TP/669/2024 (E-filing)
WITH
WILL/291/2024

Mr. Aditya Patil i/b. Atmaram Patade, Advocate for petitioner

- PC :** 1. Perused Petition. Heard Ld. Advocate for petitioner. In this petition, order for General Citation was issued on 01.04.2024. Affidavit of Service of General Citation was filed on 26.04.2024. Ld. Advocate for petitioner submits that the legal heirs of deceased are not available with the petitioner hence, they have taken out Chamber Order No. 503 of 2024 to serve the legal heirs of deceased by way of paper publication. The said Chamber Order vide order dated 14.11.2024 was granted and petitioner was directed to publish the Citation in two newspapers viz. "Free Press Journal" in English language and "Pratahkal" in vernacular language i.e. Marathi. Pursuant to the said directions, Advocate for petitioner has published the Citation on 05.12.2024 in both the newspapers and accordingly, Affidavit of Service of Publication dated 11.12.2024 is filed through e-filing and the same is on record. Ld. Advocate for petitioner further submits that no Caveat or objection is filed in the present petition till date.
2. Upon perusal of the petition, it has been observed that petitioner is Executrix named under the registered Will. The said Will is in English language.
3. It has been stated in para No. 8 of the petition that according to the petitioner's knowledge deceased has no son or daughter or any other next-of-kin/legal heirs. It has been further stated in the petition that as deceased had no son or daughter or any other next-of-kin/legal heirs,2

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petition may be granted.

4. Upon perusal of the Petition, it has been observed that the Executrix is Care Taker of deceased. It is further mentioned in para Nos. 5 and 6 of the Will, there was an agreement between the Executrix and deceased. It is also found that Affidavit of Attesting Witness is not annexed to the petition. Hence, Ld. Advocate for petitioner seeks time to file the same. Time is granted.

5. In view of the aforesaid facts and circumstances, this is fit case for appointment of Administrator.

6. List the matter on 10.02.2025.

16.01.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**