

Before: Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date: 26th August, 2025

FOR COMPLIANCE:

94. TP/1231/2025
[Original]
(ECHCBM021199820
24)

P. C. : Ms. Jyoti Badgujar a/w Ms. Sana i/b Lakdawala
& Co. Ld. Advocate for the Petitioner

1) This petition is filed by petitioner, AJIT JUDE IREANEUS LOBO being Constituted Attorney of DILIP RAJ MANUCHA alias Dilip Manucha Son of Raj Manucha, who is one of the legatee under the Will executed by Radha Raj Manucha alias Radha Manucha widow of late Mr. Rajkrishna Manucha alias Radha R. Manucha (herein after the same is referred to as "Testator"), for grant of a Letters of Administration (De-Bonis-Non) with Will annexed. Said Testator said to have died at Ontario, Canada on 07.10.1995. Petitioner filed the copy of death certificate, identity proof of the testator, Will along with its official translation, petitioner's oath.

2) Perused petition. Heard Ld. Advocate for petitioner. Perused documents.

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

4) The executor, namely Rajiv Raj Manucha, being executor of the Will and Testament, had obtained the probate in Testamentary Petition, having No. TP/492/1996. However, before administering the properties, he died on 27.10.2018. The petitioner is the Constituted Attorney of DILIP RAJ MANUCHA, a one of the legatee under the Will. Hence, petition is tenable.

5) Petitioner stated that the deceased left behind his last Will and Testament which was duly executed at Mumbai on 30.12.1989, in English language. 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, in Testamentary Petition No. 492/1996.

6) Ld. Advocate for petitioner submits that testator is survived by legal heirs, whose details are given in the petition's paragraph No. 8, as per the provisions of Hindu Succession Act, 1956. The petitioner affirmed that there are no other legal heirs of the deceased, except mentioned in the petition. Legal heirs of the testator have consented to the petition and thereby waived the service of Citation.

7) 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.

8) The Will is already proved in earlier Testamentary Petition.

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

10) Other legatees, namely representatives of Rajiv Raj Manucha, such as Laurie Bellamy, Ryan Manucha, Lucas Manucha, Bradley Manucha, Sean Manucha, have given consents to grant Letters of Administration to petitioner.

11) 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 (De-Bonis-Non) with Will annexed to the petitioner, as per the Rules, having effect throughout India.

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.

26th August, 2025

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