

Before: Shri. P. A. Jagdale,
 Officer on Special Duty,
 With the Testamentary Department
 Date: 15th October, 2025

FOR COMPLIANCE:

113. TP/1595/2024	) Shri. B. G. Saraf a/w Shri. Suyash Kalbhor
[Original]	)
(ECHCBM02230942023)	) Ld. Advocate for the Petitioner
with	)
IA(L)/20502/2025	)
(AMH20230027942C202500001)	)
with	)
WILL/601/2024	)
	)

PC.:

- 1) Petitioner, namely Deepashree Ramesh Mahajan, filed this petition, being the one of the beneficiaries under the Will executed by Sunil Pandharinath Mahajan (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 14-10-2023.
- 2) Perused petition. Heard Ld. Advocate for the petitioner. Perused documents. Petitioner, filed the copy of death certificate, identity proof of the testator, Will, and petitioner's oath.
- 3) The executor, namely Hemang S. Raythatta, has relinquished executorship by filing an affidavit affirmed on 01.02.2024.
- 4) Another executor, namely Abhijit Laxman Raut, is reported to have died on 11.05.2021 and his death certificate has been filed on the record. The petitioner is the one of the beneficiaries under the Will. Hence, the petition is tenable.
- 5) Petitioner stated that the deceased left behind his last Will and Testament, which was duly executed at Mumbai on 21.02.2014, 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.
- 6) 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. 08, as per the provisions of the Hindu Succession Act, 1956. The petitioner affirmed that there are no other legal heirs of the deceased, except as mentioned in the petition. Though name of Mandakini Mahajan is shown in the table, she is not the legal heir of the deceased beign widow of predeceased brother vide Sec. 9 of Hindu Succession Act, 1956. Legal heir of the testator has 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 petitioner has filed the affidavit of Vinod J. Gandhi, 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. According to him all additions and alteration in a Will were existed at the time of execution before signing the Will. Hence, there is sufficient compliance of the Rule 383 of the Rules.

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

10) Other legatees, namely Manoj Tahkur, Chandrakat Thakur, Anita Anil Mohandas@ Sadhana Mohandas, Ashok Magar have consented to the petition vide their affidavits.

11) Petitioner has deposited the amount of legacy given to Hemangi Bankar and Ramesh Kalan vide Orders dated 03.09.2025 & 18.07.2025 respectively. Hemangi Bankar is died, however, the petitioner is not aware about her heirs. Hence, she has deposited the amount.

12) Office bearers namely DilburParek, Ashraf Ali Ansari, Pallavi Kadam and Bhavana Mukharjee have trust namely Aseema Cha Trust, Cancer Aid & Research Foundation Research, National Association for blind and Spastics Society of India respectively has filed their consent affidavits.

13) 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, renouncing the right of the Executor namely Hemang S. Raythatta,, 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.

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