

**Before: Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date: 09th September, 2025**

FOR COMPLIANCE:

38. TP/1932/2025 P. C. : Ms. Nirali Katira i/b J. B. Lalwani Ld. Advocate for
(AMH2021004756 the Petitioner
2C202400027)

with
WILL/752/2025

1) This petition is filed by petitioner, namely Karan Narbahadur Khadka, being constituted attorney of beneficiaries under the Will, namely (1) Arindam Sphatikeshwar Chatterjee and (2) Archita Tamal Roy alias Ms. Archita Sphatikeshwar Chatterjee, under the Will. Petitioner states that Sphatikeshwar Ganpati Chatterjee alias Sphatikeshwar Ganpati Chatterjee alias Sphatikeshwar Chatterjee (herein after the same is referred to as "Testator") has executed a Will. Hence, this petition is filed for grant of limited Letters of Administration with Will annexed. Said Testator said to have died at to be seen on 25.02.2024. Petitioner filed the copy of death certificate, identity proof of the testator, Will and petitioner's oath.

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

3) Petitioner stated that the deceased left behind his last Will and Testament which was duly executed at Mumbai on 07.12.2019, 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.

4) Ld. Advocate for petitioner submits that testator is survived by legal heirs, whose details are given in the petition's paragraph No. 08, as per the provisions of Hindu Succession Act, 1956. Petitioner states that mother and wife predeceased the deceased. Only surviving son and daughter have given Power of attorney to present this petition.

5) 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.

6) The petitioner has filed the affidavit of Jeet Jay Mody, and Ravindra Guar attesting Witnesses to the Will, in form No.102 of Bombay High Court (Original Side) Rules, 1980. They deposed that deceased signed the Testament in their 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 them 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.

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

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

ORDER

- 1) Petition is granted.
- 2) Office to issue Limited Letters of Administration with Will annexed, vide Sec. 242 of the Indian Succession Act, 1925, to the petitioner, as per the Rules, having effect throughout the 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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