

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

FOR COMPLIANCE:

116. TP/3168/2025 P. C. : Ms. Pratiksha Koshe i/b Divekar Bhagwat & Co. Ld.
(AMH20240131959C Advocate for the Petitioner
202400009)
with
WILL/1214/2025

- 1) This petition is filed by the petitioner, being the sole beneficiary under the Will executed by Anant Bhalchandra Datar (herein after the same is referred to as "Testator"), for the grant of a Letters of Administration with Will annexed. Said Testator said to have died at Mumbai on 18/05/2000. Petitioner, namely Prakash Anant Datar, filed the copy of death certificate, affidavit for dispensation of a requisition to produce an identity proof of the testator, Will, along with its official translation and petitioner's oath.
- 2) Perused petition. Heard Ld. Advocate for the 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) No executor has been appointed under the Will. The petitioner is the Sole legatee 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 06.03.1980, in Marathi language. Its official translation is filed on the record. 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. 11, as per the provisions of Hindu Succession Act, 1956. The petitioner affirmed that there are no

other legal heirs of the deceased, except as 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 petitioner has filed the affidavit of Prakash Anant Datar in for No. 102 read with Rule 384 of the Bombay High Court (OS) Rules, 1980. The Hon'ble Court dispensed with the requisition raised by the office in this regard, vide an order dated 23.09.2025.

9) Prakash Datar 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.

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

11) The requisition for furnishing an administration Bond has been dispensed with by the Hon'ble Court vide an order. Hence, following order:

ORDER

1) Petition is granted.

2) Office to issue Letters of Administration with Will annexed 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.

09th October, 2025

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