

Before: Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date: 29th July, 2025

FOR COMPLIANCE:

107. TP/3207/2024 P.C.: Shri. Yash Sinha i/b Tushar Goradia Ld. Advocate for
[Original] the Petitioner
(ECHCBM02090412
024)
with
WILL/1297/2024

1) This petition is filed by petitioner, being the beneficiaries under the Will executed by CHITRA GULAB MIRCHANDANI (herein after the same is referred to as "Testatrix"), for grant of a Letters of Administration with Will annexed. Said Testatrix said to have died at Mumbai on 18.11.2023. Petitioners, namely (1) DINESH GULAB MIRCHANDANI and (2) SANGEETA GULAB MIRCHANDANI ALIAS SANGEETA ANIL SHAHANEY, filed the copy of death certificate, identity proof of the testator, Will, petitioner's oath.

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

3) No executor has been appointed under the Will. The petitioners are the Legatees under the Will. Hence, petition is tenable.

4) Petitioner stated that the deceased left behind her last Will and Testament which was duly executed at Pune on 09.12.2016, 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.

5) Ld. Advocate for petitioner submits that Testatrix is survived by legal heirs, whose details are given in the petition's paragraph No. 5, 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. Petitioners are surviving heirs of the deceased.

6) 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.

7) The petitioner has filed the affidavit of Sangeeta Shahaney AND Saroj Mirchandani, one of attesting Witnesses to the Will, in form No.102 of Bombay High Court (Original Side) Rules, 1980. She deposed that deceased signed the Testament and affixed her thumb impression in her presence, after going through its contents. Hence, enough evidence is on record to accept the execution of the Will and petitioner is succeeded to prove the execution of Will.

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

9) Other legatees, namely Shalini Dinesh Mirchandani, Ria Dinesh Mirchandani, Anuskha Anil Shahaney and Rahul Anil Shahaney, have given consents to grant Letters of Administration to petitioner.

10) Petitioners have 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, 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.

29th July, 2025

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