

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION**

TESTAMENTARY PETITION NO.3444 OF 2024

Lakshmi D. S. Venkatraman

... Deceased

Pamela Vishwanath

... Petitioner

**WITH
WILL NO.1464 OF 2024**

**IN
TESTAMENTARY PETITION NO.3444 OF 2024**

Ms. Aishwarya Shinde for the Petitioner.

CORAM : ARIF S. DOCTOR, J.
DATE : 07TH JANUARY 2025

P.C. :

1. Learned Counsel appearing on behalf of the Petitioner today sought dispensation with the requisition raised by the Testamentary Registrar dated 18th December 2024, by which the Testamentary Registrar has noted as follows:-

"1. Perused Petition. Heard Ld. Advocate for petitioner. Ld. Advocate for petitioner seeks time and submits that they will file Application before the Hon'ble Court since both the Attesting Witnesses are not available and third party will have to file an Affidavit to prove the Will of deceased. The said request is accepted. Time is granted."

2. In my view, there can be no dispensation, at this stage, absent an application.

3. Therefore, the Petitioner is at liberty to file an appropriate application seeking dispensation of the Affidavits of the attesting witnesses since it is contention of the Petitioner that neither of the attesting witnesses are traceable.

(ARIF S. DOCTOR, J.)