

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 06th May, 2025

FOR HEARING :

103. TP/4423/2024 PC: Shri. Shirish Mathkar a/w Ms. Swati Mathkar Ld. Advocate
(AMH20240131949
C202400003)
with
CHOL/66/2025
(AMH20240131949
C202500004)

for the Petitioner

1. Heard Ld. advocate for the petitioner, he submitted that the petitioner had filed the probate petition, having No. 437 of 2011, which was converted into Suit, having No.126 of 2011. In the said Suit, compromised has been taken place.
2. Furthermore, the petition for the probate, vide TP No. 580 of 2010 for last Will and Testament of Honnazdiar Hoshang Dallas, who was one of the legal heirs in this Petition. Upon filing caveats, the said petition was converted into Suit, having No. 43 of 2011. In the said suit, compromise has been arrived at vide order dated 08.11.2023 and suit came to be disposed of. Accordingly, the Probate has been issued. He submitted that as per the terms the petitioner has paid the amount and it has been referred in the compromise terms.
3. In view of Sec. 211 and 213 of the Indian Succession Act, 1925 the executor is the representative for the estate of the testator. Hence the petitioner to produce the copy of the grant of the probate issued in his favor in respect of last Will and Testament of Honnazdiar Hoshang Dallas. Hence, adjourned.
4. S. O. to 08.05.2025

06.05.2025

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