

**BEFORE : MRS. R.V. RANE  
COMPANY REGISTRAR /  
TESTAMENTARY REGISTRAR  
DATE : 17<sup>th</sup> January 2025**

Sr. No.50-TP/4719/2024 with WILL/1868/2024  
(ECHCBM02140502024)

Mr. Kartik Pandey i/b. Alliance Law, Advocate for the petitioner.

For Compliance :

1. Perused the Petition. Heard Advocate for petitioner. The present petition is filed for Probate and last will and Testament of deceased viz. Pankaj Dhandharia alias Pankaj Premnarayan Dhandharia, who died at Mumbai on 15.04.2024. Copy of death certificate is annexed at Exhibit -'A' to the petition. Copy of the identification proof of the deceased is annexed at Exhibit "A1" to the petition.

2. Advocate for the petitioner submits that the said deceased, at the time of his death, was governed by the Hindu Succession Act, 1956 and having fixed place of abode at C 4302, Lodha Bellissimo, N.M. Joshi Marg, Mumbai 400011, and left property in Mumbai within the State of Maharashtra and elsewhere in India.

3. That the deceased has left a writing, which is his last Will and Testament dated 27.04.2022. The original of the said last Will and Testament is marked as Exhibit 'B' and 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. The said Will is in English language and copy of the same is annexed to the petition at Exhibit “B” to the petition.

4. Advocate for the petitioner submits that the Petitioner is the Sole Executor namely Jay Prakash Agarwal in the said Last Will and has filed for Probate in his capacity as the Sole Executor of the said Last Will.

5. Advocate for the petitioner submits that the said Last Will was duly executed by the Deceased at Mumbai in the presence of (1) Vidya Srikanth (2) Vageeswari Anantharaman. The said Will was notarised before public on the same date i.e. on 19.10.2020 by the Deceased himself. The said will is annexed as Exhibit “D”.

6. Advocate for the petitioner submits that the properties which were left behind by the deceased and which are specified in the Schedule no. I which is annexed to the petition as Exhibit “E” to the petition and all the items which are permissible by law for the purpose of ascertaining the net estate of the deceased. The assets of deceased in Schedule I annexed to the petition is of Rs. 10,77,87,827/- and the petitioner has paid necessary requisite court fees for the same.

7. Advocate for the petitioner submits that the said will is in English language and will is duly executed and signed

by the testator/deceased i.e. Pankaj Dhandharia alias Pankaj Premnarayan Dhandharia, and two attesting witnesses viz. (1) Vidya Srikanth residing at B-3001, Lodha Bellssimo, Apollo Hills Compound NM Joshi Marg, Mahalaxmi, Mumbai – 400011 and (2) Vageeswari Anantharaman residing at B-2101, Lodha Bellssimo, Apollo Hills Compound NM Joshi Marg, Mahalaxmi, Mumbai – 400011.

Advocate for the petitioner submits that it is mentioned in the Affidavits of Attesting witness that at the time of execution of said will the said deceased confirmed subscribing his signature to the said Will and he was of sound and disposing mind, memory and understanding and to the best of my belief made and published the name of his free will and pleasure.

8. Advocate for the petitioner submits that as per requirement of Rule No. 374 of High Court Original Side Rule 1980 and Indian Succession Act, 1925, the affidavits of the attesting witness viz. (1) Vidya Srikanth and (2) Vageeswari Anantharaman is annexed as page no. 26 to 30 to the petition.

9. Advocate for the petitioner submits that both the parents of the deceased predeceased the deceased. The deceased left behind him his legal heirs mother, wife and two sons viz. (1) Indu Dhandharia (widow of the deceased), (2) Nikoonj Dhandharia (son of the deceased),

(3) Sarthak Dhandharia (son of the deceased) and  
(4) Lalita Dhandharia had given their consent for issuance of probate in favour of Jay Prakash Agarwal, petitioner. The Consent Affidavits are annexed as page no. 31-46.

10. In the present petition General citation was issued on **04.10.2024** in the aforesaid matter. Advocate for the petitioner submits that Affidavit of Service dated **25.10.2024** for proving General citation. Notice to Collector is issued. After perusal of the petition, will and submission made by the Advocate for the petitioner, the petition deserves to be allowed, as prayed for. Hence, following order :

#### ORDER

- 1) Petition is allowed and the probate be granted to the petitioner herein having effect throughout in the State of Maharashtra.
- 2) Before issuance of the probate, the office to verify whether any cross Petition is pending or Affidavit resisting the petition is filed.

**COMPANY REGISTRAR /  
TESTAMENTARY REGISTRAR**