

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 02nd July, 2025

FOR HEARING :

97. TP/5072/2024
(AMH20240129124C202
400001)

with
WILL/2023/2024

P. C. : Ms. Afrin Dalal Ld. Advocate for the Petitioner

1) This petition is filed by petitioner, being power of attorney of the one of the beneficiaries under the Joint Will executed by Maganlal Vishram Bhardwa (herein after the same is referred to as "Testator") and Kanta Manganolal Bhardwa, for grant of a Letters of Administration with Will annexed. Said Testator said to have died at Raigad on 23.11.2009. Petitioner, namely Satnaam Singh Darshan Singh Gabadia, a constituted attorney of Sangeeta Chopra, 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) Earlier will dated 20.02.2003, is referred in the Will (Exh.B) and as per the said Will, the survivor of the said Will, would inherit the property and after the death of survivor, the properties would be distributed, as provided in the subject Will (Exh.B). Hence, petitioner was called upon to produce the copy of the said Will, vide Rule 385 of Bombay High Court (O.S.) Rules, 1980. The petitioner has amended the petition and submitted that the copy of the said Will is not available.

4) As per the subject Will, widow of the deceased would get the property after death of the testator and lastly, upon the death of Kanta Bhardwa, properties would be bequeathed as per the provisions of this Will (Ex.B). Another petition, having TP No. 5152/2024, is filed for the grant of Letters of administration in respect of the properties mentioned in the Will, alleged to have been executed by Kanta Bhardwa. The said petition is also kept on the board, today. I have gone through the said Will and petition, in the Will, similar provisions have been made.

5) As per the agreement referred in the Will executed on 05.05.2009, Flat no. 4 will go to the son of Sangeeta, namely Aaron Chopra. Furthermore, housemaid, namely Pratibha Borekar and her husband, namely Prashant Borekar, have right to reside in the said flat on terms and conditions mentioned in the said agreement. Hence, these three persons are legatees under the Will in respect of the property i.e. flat no. 4. However, their consents are not filed. Hence, petitioner to file the consent thereof.

6) S. O. to 16.07.2025

02.07.2025

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