

**Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 11th July, 2025**

FOR HEARING :

89. TP/5137/2024
[Original]
(ECHCBM02123352023)

P. C. : Shri. Kevin Gala a/w Ms. Pinky Chainani Ld.
Advocate for the Petitioner

1. Perused petition. Heard Ld. Advocate for the petitioner.

2. The petitioner, namely Anil Verma, is the executor under the Will. Whereas, the Constituted attorney of the Executor had applied for the grant of the Letters of Administration with Will of the deceased, which is subject matter of the present petition. Accordingly, Limited Letters of Administration with Will Annexed, has been granted to the Constituted attorney of the Executor, namely Arvind Kumar, in Case No. 20R187556 by the Superior Court of California County of Santa Clara. Ld. advocate for the petitioner pointed out the order, marked as Exh. B2 (page No. 23) of the amended petition (amendment carried out on 27.06.2025), uploaded in the CIS. It is an order passed by the Hon'ble Judge of the Superior Court. It is recorded the Testatrix died testate in view of Will dated 06.05.2004 and accordingly, Administration with Will Annexed has been ordered in favour of Arvind Kumar. Exh. B, referred in the petition, is the Correct Copy of the Original on the file in that office, issued on 30.05.2023.

4. Hence, in this regard, provisions of the Sec. 228 of the Indian Succession Act, 1925 are required to be looked into. Furthermore, the petition is filed in the form No. 107 of Bombay High Court (O.S.) Rules, 1980. However, the said form is applicable in a case, where the petitioner is the Constituted Attorney of the Executor, who has obtained the probate of the Will from the Court, having Jurisdiction to grant it.

5. Hence, the petition is adjourned to 16.07.2025.

11.07.2025

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