

Before: Shri. P. A. Jagdale,
Officer on Special Duty,
With the Testamentary Department
Date: 13th October, 2025

FOR COMPLIANCE:

111. TP/5318/2024	) Ms. Vanshika Jain i/b Balaji Iyer Ld. Advocate for
[Original]	) the Petitioner
(ECHCBM02217202023)	)
with	)
WILL/2146/2024	)

P.C.:

1) This petition is filed by the petitioner, being the one of the beneficiaries under the Will executed by L Meenakshy, w/o: Late V Lakshrninarayanan, (herein after the same is referred to as “Testatrix”), for the grant of a Letters of Administration with Will annexed. Said Testatrix said to have died at Vijayanagar, Bangalore on 10-10-2008. Petitioner, namely Santosh Koli s/o Laxman Koli, filed the copy of death certificate, identity proof of the testator, Will and petitioner's oath.

2) Perused petition. Heard Ld. Advocate for the petitioner. Perused documents.

3) The petitioner has explained the delay vide Rule 382 of the Bombay High Court (Original Side) Rule, 1980(for short “Rules”).

4) No executor has been appointed under the Will. The petitioner is the Constituted Attorney of Meenakshy Sahasranaman, legatee under the Will. Hence, the petition is tenable vide Sec. 241 and 242 of IS Act.

5) Petitioner stated that the deceased left behind her last Will and Testament, which was duly executed at Bangalore on 15.04.2004, in English language. The Will 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.

6) Ld. The advocate for the petitioner submits that the Testatrix is survived by legal heirs, whose details are given in the petition’s paragraph No. 06, as per the provisions of Hindu Succession Act, 1956. The petitioner affirmed that there are no other legal heirs of the deceased, except as mentioned in the petition. Legal heirs of the testatrix have consented to the petition and thereby waived the service of Citation.

7) Citation was issued, which has been duly affixed on the conspicuous part of the Hon’ble High Court and notice board of the Collector’s Office at Mumbai and 14 days have been expired vide Rule 397(1) and (4) of the Bombay High Court (O.S.) Rules, 1980(for short “BHC Rules”) and an affidavit

to that effect has been filed. Notice to collector has been issued vide Rule 396 of BHC Rules. Till today, no one appeared to resist the claim of the petitioner or nothing is brought to the notice regarding pending litigation pertaining to the same properties. Hence, the petition is treated as uncontested one.

8) The petitioner has filed the affidavit of P. V. Prabhu, M Mahadesh one of attesting Witnesses to the Will, in form No.102 of Bombay High Court (Original Side) Rules, 1980. He deposed that deceased signed the Testament in his presence. Hence, enough evidence is on record to accept the execution of the Will and petitioner is succeeded to prove the execution of Will. According to him all additions and alteration in a Will were existed at the time of execution before signing the Will. Hence, there is sufficient compliance of the Rule 383 of the Rules.

9) Properties mentioned in the schedule-I of the petition are referred in the Will. Ld. Advocate for the petitioner submitted that the said property given to him is already transferred in their respective names. Hence, such wording has been mentioned in the paragraph No. 6.1 (Rider-II) of the Petition.

10) Petitioner has executed the administration Bond in the prescribed format. Hence, following order:

ORDER

1) Petition is granted.

2) Office to issue Limited Letters of Administration with Will annexed to the petitioner, as per the Rules, having effect throughout State of Maharashtra, vide Sec. 241 read with Sec. 242 of the Indian Succession Act, 1925.

3) Before issuance of Letters of Administration with Will, the office to verify that there is no cross Petition is pending or caveat is filed. Office to act accordingly.

13th October, 2025

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