

**BEFORE : MRS. K. Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 23rd April, 2025**

CALLED FOR HEARING :

21 TP/5412/2024 (E-filing)

Ms. Nerissa Almeida i/b. Vasim Siddiqui, Advocate for petitioner

- PC :** 1. Perused Petition. Heard Ld. Advocate for petitioner. This petition is for Probate of last Will and Testament of deceased filed by petitioner namely Bhabatosh Shyamprasad Biswas being sole Executor named under the Will of deceased. The deceased namely Kaliprasad Sarojnath Biswas died at Mumbai on 22.01.2024. Copy of death certificate is annexed to the petition. Identification proof of deceased viz. copy of Aadhaar Card is annexed to the petition.
2. The deceased left behind his last Will and Testament which was duly executed at Mumbai on 05.02.2008. The said Will is in English language. The Para No. 1 of page No. 1 of the Will refers to the appointment of Executor. Only one Executor appointed under the Will.
3. Ld. Advocate for petitioner submits that parents of deceased predeceased the deceased. Deceased died as bachelor. Deceased had three brothers and one sister. One brother of deceased namely Shyamprasad died 14.12.2007, leaving behind two sons. Another brother namely Shaktiprasad died leaving behind one daughter. One sister of deceased namely Aarti. Deceased was survived by one brother, two nephews and one niece. Out of them one nephew is petitioner herein and Debatosh (nephew) and Chandiprasad (brother) have given their consents in favour of the petitioner. Consent Affidavits are on record. Niece of deceased namely Piyali Biswas has been served through newspaper publication and Affidavit of Service of publication dated 24.02.2025. There are no other legal heirs.
4. Petitioner's oath is filed. Affidavit of Ajeet Kumar Srivastava dated 29.07.2024 one of the Attesting Witness to the Will is filed. Affidavit of Service of General Citation dated 17.01.2025 is filed. All other legal formalities are complied with. Hence, petition is granted.
5. Office to issue Probate as prayed after verifying whether any cross petition is filed or whether any caveat is filed.

23.04.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**