

Before: Shri. P. A. Jagdale,
 Officer on Special Duty,
 With the Testamentary Department
 Date: 12th November, 2025

FOR COMPLIANCE:

102 TP/5675/2024	)	Shruti Parmar i/b by RJ LAW, Ld. Advocate
[Original]	)	
(ECHCBM02151032024)	)	for the Petitioner
with	)	
WILL/2271/2024	)	

P. C.:

- 1) Petitioner, namely Dipali Nikhil Shah, filed this petition, being the legal representative of the sole legatee (Meena Nikhil Shah, the widow of the deceased also died on 08.03.2025) under the Will executed by Nikhilkumar Ambalal Shah alias Nikhil Ambalal Shah (herein after the same is referred to as "Testator"), for the grant of a Letters of Administration with Will annexed. The Said Testator said to have died at Mumbai on 29-06-2022.
- 2) Perused petition. Heard Ld. Advocate for the petitioner. Perused documents. Petitioner, filed the copy of death certificate, an identity proof of the testator, Will and petitioner's oath.
- 3) The executors, namely (1) Shri Anup Vrajlal Mehta @ Anoop Vrajlal Mehta, (2) Bharat Manhar Mody and (3) Nisith Anilbhai Shah alias Nishith Anilkumar Shah, have relinquished executorship by filing an affidavits at page No. 28 to 39 of the petition.
- 4) Another executor, namely Meena Nikhil Shah is reported to have died on 08.03.2025 and her death certificate has been filed on the record. The petitioner is the Representative of sole legatee Meena Nikhil Shah, under the Will. Hence, the petition is tenable.
- 5) Petitioner stated that the deceased left behind his last Will and Testament, which was duly executed at Mumbai on 29.10.2018, 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 testator/Testatrix is survived by legal heirs, whose details are given in the petition's paragraph No. 07, 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 testator 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 Jagdishprasad Shantilal Dave, 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.

9) Properties mentioned in the schedule-I of the petition are referred in the Will.

10) Other representatives of the sole legatees Meena Nikhil Shah,[Sangini Rohnish Lalwani and Darshini Nikhil Shah, have given consents to grant Letters of Administration to petitioner.

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

ORDER

1) Petition is granted.

2) Office to issue Letters of Administration with Will annexed to the petitioner, renouncing the right of the Executors namely (1) Shri Anup Vrajlal Mehta alias Anoop Vrajlal Mehta, (2) Bharat Manhar Mody and (3) Nisith Anilbhai Shah alias Nishith Anilkumar Shah, as per the Rules, having effect throughout India.

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.

12th November, 2025

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