

Before: Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date: 23rd September, 2025

FOR COMPLIANCE:

88. TP/631/2025 P. C. : Shri Jayant Wani i/by Seema Hunnurkar,
AMH20210053261C2 Advocate for the Petitioner
02500006
with
Will/254/2025

- 1) This petition is filed by petitioner, being sole beneficiary under the Will executed by Baban Genuji Hule alias Baban (herein after the same is referred to as "Testator"), for grant of a Letters of Administration with Will annexed. Said Testator said to have died at Mumbai on 17/08/2024. Petitioner, namely Savita Vikas Hule, filed the copy of death certificate, identity proof of the testator, Will along with its translation & petitioner's oath.
- 2) Perused petition. Heard Ld. Advocate for petitioner. Perused documents.
- 3) No executor has been appointed under the Will. The petitioner is the sole Legatee under the Will. Hence, petition is tenable.
- 4) Petitioner stated that the deceased left behind his last Will and Testament which was duly executed at Mumbai on 18.01.2019 Registered on 23.01.2019, in Marathi language. In view of the Order of the Hon'ble Court passed in the TP No.1263/2023, the Ld. Advocate for the petitioner has filed an affidavit stating that the translation of the Will is true translation as per the contents of the Original Will. 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.
- 5) Ld. Advocate for petitioner submits that testator is survived by legal heirs, whose details are given in the petition's paragraph No. 08, as per the provisions of Hindu Succession Act, 1956. The petitioner affirmed that there are no other legal heirs of the deceased, except mentioned in

the petition. Legal heirs of the testator, such as Megha Vikas Hule and Tanuja Vikas Hule, have consented to the petition and thereby waived the service of Citation.

6) Citation to non-consenting legal heirs of the deceased, namely Chaya Arun Borhade is served by post on 05.03.2025 and such affidavit of service is filed on the record by the office of Sheriff.

7) Citation Could not be served to Nirmala Sandesh Hule, Nikhil Sandesh Hule and Nilam Sandesh Hule. Hence, the petitioner has taken out a Chamber Order, having No. 356 of 2025 to serve the Citation to non-consenting legal heirs of the deceased by publishing citation in the daily newspaper namely, 1) Free Press Journal (English) and 2) Navshakti (Marathi) on 26.08.2025, Accordingly, affidavit of service has been filed by the Ld. Advocate for the petitioner regarding service vide Rule 400 of the Rules. However, non-consenting legal heirs did not resist the petition.

8) 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.

9) The petitioner has filed the affidavit of Deepak Vishnu Mastud 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.

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

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, as per the Rules, having effect throughout the State of Maharashtra.

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.

23rd September, 2025

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