

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

CALLED FOR HEARING :

29 TP/1279/2025 (E-filing)

Mr. Vithal Sankpal, 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 Vinesh Ramkrishna Talpade being sole Executor named under the Will of deceased. The deceased namely Rekha Vithalnath Navalkar died at Mumbai on 15.04.2012. Petitioner has filed Affidavit dated 13.01.2025 for dispensation of identification proof of deceased.
2. The deceased left behind her last Will and Testament which was duly executed at Mumbai on 03.11.2008. The said Will is in English language. The Page No. 3 of the Will refers to the appointment of Executor. Only one Executor appointed under the Will who is petitioner herein.
3. Ld. Advocate for petitioner submits that parents of deceased predeceased the deceased. Deceased died as spinster. Sister of deceased namely Priti predeceased the deceased who died as spinster. Deceased had no brother. Deceased does not have any paternal uncle or aunt. There are no legal heirs of deceased on paternal side as per section 15(1)(a) to 15(1)(d). Deceased had no maternal aunt and was survived by one maternal uncle (mother's brother) who has given his consent in favour of the petitioner. Consent Affidavit is on record. There are no other legal heirs.
4. Petitioner's oath is filed. Petitioner has filed Affidavit of one Vivek Baljit Koli dated 08.09.2025 as an Affidavit of Attesting Witnesses who was present at the time of execution of the Will. In para No. 3 of the said Affidavit, petitioner has stated that two Attesting Witnesses in the Will have already expired. Ld. Advcoate for petitioner therefore, request to accept this Affidavit under Rule 384 of the Bombay High Court (Original Side) Rules, 1980. The said Affidavit is accepted. Affidavit of Service of General Citation dated 09.04.2025 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.

23.09.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**