

**Before: Shri. P. A. Jagdale,**  
**Officer on Special Duty,**  
**With Testamentary Department**  
**Date: 07th August, 2025**

**FOR COMPLIANCE:**

70.TP/1426/2025  
(AMH20240131414C  
202500006)

PC.: Ms. Manisha Pant a/w Ms. Riddhi Vadodaria Ld.  
Advocate for the Petitioner

**1)** This petition is filed by petitioner, being constituted attorney of, Preety Shah, a sole executor of probated Will, executed by Ajay Pramodvadan Shah (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 1 Alpine way, Livingston, NJ 07039 USA on 11.01.2015. Petitioner, namely Hitendra Balmukund Kamdar being constituted attorney of, PREETY SHAH, filed the copy of death certificate, identity proof of the testator, authenticated copy of the Will and petitioner's oath.

**2)** Perused petition. Heard Ld. Advocate for 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)** Probate issued by Theodore N, Stephens ,Surrogate, The State of New Jersey, Essex County Surrogate's Court along with a copy of the Will dated 4th May 2005 which was granted on 22nd January 2015, under the Seal of The Theodore N. Stephens II, Surrogate in favour of the PREETY SHAH, being the Sole Executor named under the said last Will of the Deceased abovenamed. The petitioner is the constituted attorney of, PREETY SHAH under the Will. Hence, petition is tenable.

**5)** Petitioner stated that the deceased left behind his last Will and Testament which was duly executed at USA on 4th May 2005, in English language. Said Will has been probated by the

Court, having jurisdiction to grant the Probate. The authenticated Copy of 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. Advocate for petitioner submits that testator 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 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)** Properties mentioned in the schedule-I of the petition are referred in the authenticated Will.

**9)** 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, until executor appointed under the Will, namely Preety Shah, appear and applied for the Grant, 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.

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with Testamentary Department**