

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

FOR HEARING :

96. TP/2035/2025 PC. : Shri. Uttam Rane Ld. Advocate for the Petitioner
(AMH20220001223C2
02500017)
with
WILL/797/2025

1. Petitioner to file administration bond as per form no. 118 r/w Rule 420 of the Bombay High Court (O. S.) Rules, 1980.

2. Petitioner to file the affidavit of the attesting witness to the Will in prescribed format.

3. Ld. Advocate for the petitioner submits that he has filed the affidavit of the Balakrishna Roge, who has identified the deceased at the time of Registration of the Will with the office of Sub-Registrar, Office at Malvan, Dist. - Sindhudurg and that affidavit may be considered as compliance of affidavit of the attesting witness.

4. However, attesting witnesses are different than these two witnesses, who identified the deceased while registration. Hence, meaning and requisition of attestation is different than the identifying the person before the Sub-Registrar for registration of the document. Hence, petitioner to file affidavit of attesting witness or follow Rule 384 of the Bombay High Court (O. S.) Rules, 1980 and ensure that attestation of the Will is proved as per the law.

3. S. O. to 08.08.2025

07.07.2025

Officer on Special Duty,
with Testamentary Department