

Before: Shri. P. A. Jagdale,
Officer on Special Duty,
With the Testamentary Department
Date: 17th October, 2025

FOR COMPLIANCE:

92. TP/2087/2025 P. C. : Bina S. Shivhare Ld. Advocate for the Petitioner
(AMH20230019430C
202500021)
with
WILL/822/2025

- 1) Petitioner, namely Vishal Swanand Shete, filed this petition, being the representative of the sole beneficiary under the Will executed by Veena Girdharidas Sukhija alias @ Veena Girdharilal Sukhija alias Veena Girdhari SukhUa (herein after the same is referred to as "Testatrix"), for the grant of a Letters of Administration with Will annexed. The Said Testatrix said to have died at Mumbai on 11.02.2021.
- 2) Perused petition. Heard Ld. Advocate for the petitioner. Perused documents. Petitioner, filed the copy of death certificate, identity proof of the testator, Will, along with its official translation & petitioner's oath.
- 3) The petitioner has explained the delay vide Rule 382 of the Bombay High Court (Original Side) Rule, 1980(for short "Rules").
- 4) The executor, namely Swanand Umakant Shete is reported to have died on 16.11.2024 at Pune and his death certificate has been filed on the record. The petitioner is the representative of the Sole legatee under the Will. Hence, the petition is tenable.
- 5) Petitioner stated that the deceased left behind her last Will and Testament, which was duly executed at Mumbai on 17.03.2005 and Registered with office on the same day, in Marathi language. Its official translation is filed on the record. 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 he is not aware about the heirs of the deceased falling under Sec. 15 (1)(b) to (e) of the Hindu Succession Act, 1956.

7) The petitioner states that he is not aware about the legal heirs of the testatrix. Hence, petitioner has taken out a Chamber Order, having No. 278/2025, to serve the Citation to non-consenting legal heir/s of the deceased by publishing citation in the daily newspaper namely, namely "Free Press Journal" on 29/7/2025 and in "Hindu" in Sindhi Newspaper which is mother tongue of the deceased on 29/7/2025. Accordingly, affidavit of service has been filed by the Ld. Advocate for the petitioner regarding service vide Rule 400 of the Rules. However, no one claiming to be legal heir of the deceased/testatrix appeared to 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 Anil Dayalal Shah, 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/her/their presence. Hence, enough evidence is on record to accept the execution of the Will and petitioner is succeeded to prove the execution of Will. According to him all additions and alteration in a Will were existed at the time of execution before signing the Will. Hence, there is sufficient

compliance of the Rule 383 of the Rules.

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

11) Other representatives of the sole legatees, namely Kanchanmala Umakant Shete, Smita Shete, Tanisha Dua, have given consents to grant Letters of Administration to petitioner.

12) 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.

17th October, 2025

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