

**Before: Shri. P. A. Jagdale,
Officer on Special Duty,
With the Testamentary Department
Date: 28th November, 2025**

FOR COMPLIANCE:

49. TP/2825/2025) Ms. Seema Hunnurkar Ld. Advocate for
(AMH20210053261C202500050)) the Petitioner

P.C.:

- 1) Petitioner, namely Sudhir Harbanslal Gupta, filed this petition, being the one of the legatees under the Will executed by Rajrani Harbanslal Gupta alias Gupta Rajrani Harbanslal alias Rajrani H. Gupta (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 10-10-2007.
- 2) Perused petition. Heard Ld. Advocate for the petitioner. Perused documents. Petitioner, filed the copy of death certificate, affidavit for dispensation of a requisition to produce an identity proof of the testator, Will and petitioner's oath.
- 3) One of the legatees, namely Ashwin Harbanslal Gupta alias Ashwinkumar Harbanslal Gupta, had filed Petition No. 568 of 2008 for Letters of Administration with the Will annexed for the property and credits of the above-named deceased. Accordingly, this Hon'ble Court granted Letters of Administration with the Will annexed of the deceased dated 17/12/2009. Hereto annexed and marked as Exhibit-"C" is a true copy of the Grant dated 17/ 12/2009. After the Grant of Letters of Administration with the Will, the said legatee died in Mumbai on 07/05/2019. The petitioner has explained the delay vide Rule 382 of the Bombay High Court (Original Side) Rule, 1980(for short "Rules").
- 4) No executor has been appointed under the Will. The petitioner is the One of the 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 23.12.2004, in English language. The Will is handed over separately for being filed and kept in a safe place in the Office of the Prothonotary and Senior Master, High Court, Bombay, in earlier petition, referred here in above.
- 6) Ld. The advocate for the petitioner submits that the Testatrix 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 as mentioned in the petition. Legal heirs of the testatrix 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) Will is already proved in the earlier testamentary petition.

9) Properties mentioned in the schedule-I of the petition are referred in the Will, but found latter on, hence, as per the order of the Hon'ble Court in TP No. 908/2023, these properties are required to be treated as administrated Properties of the deceased.

10) Other legatee, namely Aswin's Widow Anita and Ashwin's children, namely Revtai and Ruchi, as well as other legatees Varun Gupta and Siddharth Gupta, Renuu Harbanslal Gupta and her daughters, namely Aanchal & Sonam, have given consent to grant Letters of Administration to petitioner.

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 provisions of the the Indian Succession Act, 1925 (for short "IS Act") 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.

28th November, 2025

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with Testamentary Department**