

Before: Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date: 09th September, 2025

FOR COMPLIANCE:

94. TP/2953/2025
(AMH20250002674C
202500001)
with
WILL/1124/2025

P. C. : Shri. Anish Khandekar i/b Vanguard Law Group
Ld. Advocate for the Petitioner

1) This petition is filed by petitioner, being one of the beneficiaries under the Will executed by JASPAL KAUR PRUTHI ALIAS JASPALKAUR PRUTHI (herein after the same is referred to as "Testatrix"), for grant of a Letters of Administration with Will annexed. Said Testatrix said to have died at Mumbai on 25.05.2022. Petitioner, namely Sunreet Singh Pruthi S/o Prithipal Singh Pruthi, filed the copy of death certificate, identity proof of the testator, Will & petitioner's oath.

2) Perused petition. Heard Ld. Advocate for petitioner. Perused documents.

3) No executor has been appointed under the Will. The petitioner is the One of the legatee under the Will. Hence, petition is tenable.

4) Petitioner stated that the deceased left behind her last Will and Testament which was duly executed at Mumbai on 02.06.2016, in English language. 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.

5) Ld. Advocate for petitioner submits that 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 mentioned in the petition. Legal heirs of the testatrix have consented to the petition and thereby waived the service of Citation.

6) 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.

7) The petitioner has filed the affidavit of Balreet Singh Pruthi S/o Prithipal Singh Pruthi 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 presence. Hence, enough evidence is on record to accept the execution of the Will and petitioner is succeeded to prove the execution of Will. The bequest is given to attesting witness who are sons of the deceased. Furthermore, the said will is also attested by husband of the deceased, who has consented to this petition. Hence, in view of the Law laid down by the Hon'ble Court in case of the Hon'ble High Court in case of **Ruby Cyril D'souza & Ors.- (Applicants)** in the matter between **Cecilia Reynold D'souza & Ors.- (Plaintiffs) Vs. Ruby Cyril D'souza & Ors.- (Defendants)**, {Interim Application (L)/20977/2023 in Testamentary Suit no. 05/2005 in Testamentary Petition no. 226/2004, pronounced on 24.01.2024}, this question as to validity of bequeath given to the attesting witness, is outside the jurisdiction of this Court. Hence, I proceed further.

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

9) Other legatees, namely Navreet Singh Pruthi S/o Prithipal Singh Pruthi, Balreet Pruthi S/o Prithipal Singh Pruthi, have given consents to grant Letters of Administration to petitioner.

10) 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 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.

09th September, 2025

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