

**Before: Shri. P. A. Jagdale,**  
**Officer on Special Duty,**  
**With the Testamentary Department**  
**Date: 15th December 2025**

**FOR COMPLIANCE:**

139. TP/3408/2025 ) Mrs. Bina Shivhare, Ld. Advocate for the  
 AMH20230019430C202500037 )  
 (De-Bonis-Non) ) Petitioner

**P.C.:**

1) Petitioners, namely (1) Shilpa Shatayu Mehta & (2) Ram Subhash Sarda, filed this petition, being the legatees under the Will executed by Mithabai Anandji Ladha Shah alias Mithabai Anandji Shah (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 12-04-1979.

2. Perused petition. Heard Ld. Advocate for the petitioner. Perused documents. Petitioners, filed the copy of death certificates, affidavit for dispensation of a requisition to produce an identity proof of the testator, Will, along with its official translation and petitioner's oath.

3. Petitioners state that legatees under the Will, namely (1) Jayantilal Narandas Shah and (2) Bahadur Lalji Shah had filed petition for Letters of administration with Will annexed in this Hon'ble High Court being Petition No.607 of 1981 and Letters of administration with Will annexed was granted on 12th June, 1991. However, the said legatees (1) Jayantilal Narandas Shah died at Mumbai on 17<sup>th</sup> July, 2003 and (2) Bahadur Lalji Shah died at Mumbai on 11<sup>th</sup> October 2013. Hence, this petition is filed u/s 257 of the IS Act. The petitioners are the representatives of the legatees under the Will. Hence, the petition is tenable.

4. Petitioner stated that the deceased left behind her last Will and Testament, which was duly executed at Jamnagar, in Gujarat on 24.03.1955, in Gujarati language. Its official translation is filed on the record. The Will is handed in Testamentary Petition No. 607/1981. Its copy is produced separately for being filed and kept in a safe place in the Office of the Prothonotary and Senior Master, High Court, Bombay.

5. 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. 09, as per the provisions of the 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. Petitioner has filed an additional affidavit along with the death certificate of Jayantilal's Widow (Annapurna Jayantilal

Mandalia) along with her death certificate. Ld. Advocate for the petitioner submits that Naranji is known as Naraindas Mandalia. Furthermore, Bahadur Lalji Shah died in year 2023 and his heirs are given the consent to the petition.

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. Will is already proved in the earlier Testamentary Petition, referred herein above.

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

9. Other legatees, who are the heirs of the deceased and names are mentioned in paragraph No. 8 of the petition, 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 (De-Bonis-Non) to the petitioner, vide Sec. 257 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.

15th December 2025

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