

Before : Shri E. B. Sivakumar,

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date: 9th October, 2025

CALLED FOR DIRECTION:

17. CHOL/) Shri Vijay Sharma, Advocate for the Applicant /
507/2025) Petitioner.
AMH20210051712C20250)
0008)
IN)
TP /2426/2025)

P.C.

By the present Chamber Order the Applicant prays for acceptance of the affidavit of Subodh Karve filed alongwith the Petition be taken on record as affidavit in lieu of affidavit of attesting witness under Rule 384 of the Bombay High Court Original Side Rules, 1980.

2. Perused the affidavit in support the Ld. Advocate for the Applicant submits that, the Applicant has filed the affidavit dated 11th April, 2025 of Subodh P. Karve alongwith the Petition in lieu of the affidavit of attesting witness under Rule 384. He further submits that all the legal heirs of the deceased had filed their consent affidavits. He further submits that, by an Order dated 21st July, 2025 the Applicant was directed to take steps as per the Rule 400 of the Bombay High Court, Original Side Rules, 1980. The Ld. Advocate further submits that, the Applicant had published the notice in respect of the witnesses to the Will and since no one came forward claiming to be the attesting witnesses to the Will of the deceased , the affidavit filed by Subodh P. Karve be accepted under Rule 384

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and the fresh publication of notice to the attesting witness be dispensed with.

3. For the reasons mentioned in affidavit in support the Chamber Order is allowed. The affidavit dated 11th April, 2025 filed by Subodh P. Karve is accepted under Rule 384 as affidavit in lieu of attesting witnesses and fresh publication of notices to attesting witnesses is dispensed with.

4. In view of the above, requisitions contained in the Order dated 21st July, 2025 stands complied with.

09.10.2025

**Addl. Registrar (O.S.) /
Addl. Prothonotary and Senior Master**

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