

Before: Shri. P. A. Jagdale,
 Officer on Special Duty,
 With the Testamentary Department
 Date: 20th January 2026

FOR COMPLIANCE:

103. TP/5260/2025	) Ms. Pratima Saundalkar a/w Ms. Aditi
with	)
WILL/1744/2025	) Parwal Ld. Advocate for the Petitioner

P.C.:

- 1) Petitioner, namely Yogesh Jiwanlal Lakhani, filed this petition, being the sole legatee under the Will executed by Jiwanlal Vanamalidas Lakhani (herein after the same is referred to as "Testator"), for the grant of a Letters of Administration with Will annexed. The Said Testator said to have died at Mumbai on 08.11.2020.
- 2) Perused petition. Heard Ld. Advocate for the petitioner. Perused documents. Petitioner, filed the copy of death certificate, an identity proof of the testator, Will and petitioner's oath.
- 3) The executor, namely Sudhir Shah is reported to have died on 07.08.2025 and his death certificate has been filed on the record. The petitioner is the Sole under the Will. Hence, the petition is tenable.
- 4) Petitioner stated that the deceased left behind his last Will and Testament, which was duly executed at Mumbai on 01.11.2019, 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.
- 5) Ld. Advocate for the petitioner submits that the testator is survived by petitioner as his son and sole legal heir, whose details are given in the petition's paragraph No. 10, 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.
- 6) Citation to all Concern was issued and same 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 Bhavesh Katakia 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 and the deceased was in sound state of mind at the time of execution of the Will. Hence, enough evidence is on record to accept the execution of the Will and petitioner is succeeded to prove the execution of Will.

8) Properties mentioned in the schedule-I of the petition are referred in the Will. In view TP No. 4861/2024, Petitioner is the sole legal heir and sole legatee and therefore he is exempted from execution of an 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.

20th January 2026

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with Testamentary Department**