

Before: Shri. P. A. Jagdale,
Officer on Special Duty,
With the Testamentary Department
Date: 27th March, 2026

FOR COMPLIANCE:

93. TP/2954/2024	)	
[Original]	)	Shir. Pranil Lahigade i/b Vinsha Acharya Ld.
(ECHCBM02085232023)	)	
with	)	Advocate for the Petitioner
WILL/1187/2024	)	

PC.:

- 1) Petitioner, namely Vikaschand Agarwal alias Vikas Omprakash Agarwal, filed this petition for grant of Letters of Administration with Will Annexed, being the one of the legatees under the Will executed by Taramati Omprakash Agarwal (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 02-03-2012.
- 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 petitioner has explained the delay vide Rule 382 of the Bombay High Court (Original Side) Rule, 1980(for short "Rules").
- 4) The executor, namely Omprakash Agarwal, is died on 30.09.2024 and his death certificate has been filed on the record. 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 02.02.2012, 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.
- 6) Ld. Advocate for the petitioner submits that the Testatrix is survived by her husband and Son-Petitioner. Husband-Omprakash Hukumchand Agrawal died on 30.09.2024. Omprakash's mother-Laxmidevi Agarwal died on 11.09.2019. Petitioner is only heir of the deceased, 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.
- 7) 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.

8) The petitioner has filed the affidavit of Kailashchand Hukumchand Agarwal 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 testatrix 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. 419 According to him contents of the Will were read over to the testatrix before signing the Will. Hence, there is sufficient compliance of the Rule 419 of the Rules.

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

10) Another legatee, namely Ruchika Agarwal, has given consent to grant Letters of Administration to petitioner. 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 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.

27th March, 2026

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