

Before : D. D. Suryavanshi,
Officer on Special Duty,
With Testamentary Department
Date : 29th April, 2026

FOR COMPLIANCE:

69. TP/3217/2024	)	
[Original]	)	
(ECHCBM02082182023)	)	
with	)	Shri. O. S. Shinde i/b P. M. Arjunwadkar
WILL/1307/2024	)	Ld. Advocate for the Petitioner
In	)	
TP/3217/2024	)	
(ECHCBM02082182023)	)	

PC.:

- 1) Petitioner, Hemant Mahabeleshwar Gothoskar, filed this petition for the grant of Letters of Administration with Will Annexed, being the sole beneficiary under the Will executed by Neela Ramnath Hegde (herein after the same is referred to as "Testatrix"), for the grant of Letters of Administration with Will annexed. The Said Testatrix said to have died in Mumbai on 22.03.2013.
- 2) Perused petition. Heard Ld. Advocate for the petitioner. perused documents. Petitioner produced on record a death certificate, an identity proof of the testator, the will, and the 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) No executor was appointed under the will. The petitioner is a legatee under the will. Hence, the petitioner is appointed.
- 5) Deceased Neela Ramanath Hegde is reported to have died on 22-03-2013. Her death certificate has been filed on the record. The petitioner No. 1 is the Legatee under the Will of Neela under the Will. Hence, the petition is tenable, as the petitioners being representative of the legatees under the present Will, vide Sec. 233 of the Indian Succession Act, 1925 (for short "IS Act").
- 6) Petitioner stated that the deceased left behind her last Will and Testament, which was duly executed at Mumbai on 11.10.2002, in the Marathi language. Its official translation is filed on the record. 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.
- 7) Ld. Advocate for the petitioner submits that the testatrix is survived by the Petitioner. The husband of the deceased predeceased the deceased. The parents of the deceased predeceased the deceased. The

deceased died issueless. Since the deceased was a female section 15 of The Hindu Succession Act apply in this case. Section 15(A) will not apply as the husband predeceased and she has no children. Section 8 of parents of the husband of the predeceased the deceased. The petitioner affirmed that there are no other legal heirs of the deceased, except as mentioned in the petition. Legal heirs the testatrix have consented to the petition and thereby waived the service of Citation.

8) 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 the collector has been issued vide Rule 396 of BHC Rules. Till today, no one has 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 an uncontested one.

9) Attesting witness Shrinivas and Chandrakant have died. Their death certificates are on record. The petitioner has filed the affidavit of Dattaprasad Mahabaleshwar Ghothoskar, who is an eyewitness. He deposed that the deceased signed the Testament affixed her thumb impression in her 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 the petitioner is succeeded to prove the execution of the Will.

10) Property mentioned in Schedule I of the petition is referred in the Will.

11) Petitioner has executed the administration Bond in the prescribed format. Hence, following the 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 Maharashtra.
- 3) Before issuance of Letters of Administration with Will, the office to verify that there is no cross Petition pending or caveat is filed. Office to act accordingly.

29.04.2026

**Officer on Special Duty,
with the Testamentary department.**