

Before: Shri. P. A. Jagdale,
Officer on Special Duty,
With the Testamentary Department
Date: 19th January 2026

FOR COMPLIANCE:

85. TP/4041/2024	) Ms. Karuna Tiwari Ld. Advocate for the
[Original]	)
(ECHCBM02139022024)	) Petitioner
with	)
WILL/1601/2024	)
	)

PC.:

1) Petitioner, namely VIKRANT GAJANAN MATE, filed this petition, being Constituted Power of Attorney of Abhijit Gajanan Mate, an Executor, under the Will, executed by Anant Shridhar Mate (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 12-11-2022.

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 executors, namely (1) Varsha Sumant Ghaisas and (2) Shashank Vishwanath Bapat, have relinquished executorship by filing affidavits. Another executor Abhijit Gajanan Mate has executed a power of attorney in favor of the petitioner to seek letters of Administration with Will Annexed vide sec. 241 of the Indian Succession Act, 1925, along with Rule 385 of the Bombay High Court (Original Side) Rule, 1980. Hence, the petition is tenable vide Sec. 242 read with Sec. 241 of IS Act.

4) Petitioner stated that the deceased left behind his last Will and Testament, which was duly executed at Mumbai on 18.09.2009, in Marathi language. In view of the Order of the Hon’ble Court passed in the TP No.1263/2023, the Ld. The advocate for the petitioner has filed an affidavit stating that the translation of the Will is a true translation as per the contents of the Original Will. The Will is handed in 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 testator died as bachelor and survived by legal heirs, whose details are given in the petition’s paragraph No. 12, as per the provisions of Sec. 9 of the Hindu Succession Act, 1956 (Class-II, Entry (ii) Legal heirs, whose names are mentioned at Serial No. 03 to 07. On the day of opening the succession, Madhusudan Shridhar Mate(DOD:05.03.2021) and Prathibha Bapat(DOD:13.10.2011), were not alive

to claim an inheritance vide above referred provisions. However, the petitioner has produced the consent affidavits of Varsha Sumant Ghaisas, Vandana D. Oak, Sushama Sadanand Lawate, Vaishali Uday Marathe, Lalita Liladhar Kale and Shashank Vishwanath Bapat, as matter of caution. The petitioner affirmed that there are no other legal heirs of the deceased, except as mentioned in the petition. However, all persons, whose names are shown in the above referred paragraph and Legal heirs of the testator have consented to the petition and thereby waived the service of Citation.

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) The petitioner has filed the affidavit of Dinkar Bhairavnath Dikshit 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. Hence, enough evidence is on record to accept the execution of the Will and petitioner is succeeded to prove the execution of Will. According to him all additions and alteration in a Will were existed at the time of before signing the Will. Hence, there is sufficient compliance of the Rule 383 of the Rules.

8) Properties mentioned in the schedule-I of the petition are referred in the Will. Petitioner has executed the administration Bond in the prescribed format. Hence, following order:

ORDER

- 1) Petition is granted.
- 2) Office to issue Limited Letters of Administration with Will annexed to the petitioner, renouncing the right of the Executors namely (1) Varsha Sumant Ghaisas and (2) Shashank Vishwanath Bapat, 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.

19th January 2026

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