

Before : D. D. Suryavanshi,
Officer on Special Duty,
With Testamentary Department
Date : 08th May, 2026

HIGH ON BOARD (HOB) :

16. TP/5116/2024
(AMH20240131959C20240000)
8)) Ms. Pratiksha Koshe i/b M/s Divekar
with)
WILL/2040/2024) Bhagwat & Co. Ld. Advocate for the
In)
TP/5116/2024) Petitioner
(AMH20240131959C20240000)
8)

P.C.:

1) Petitioner, Sandeep Prabhakar Sanap filed this petition for grant of Letters of Administration with Will Annexed, being the legatees under the Will executed by Ashalata Dasharath Sanap (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 29th May 2024.

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 testatrix, namely Ashalata Dasharath Sanap is reported to be died on 29th May 2024. Her death certificate has been filed on the record. The petitioner is the Legatee under the Will. Hence, the petition is tenable, as per the Indian Succession Act, 1925 (for short "IS Act").

4) Citation to non-consenting legal heirs of the deceased, was issued, at the addresses mentioned in the petition. The petitioner states that he is not aware about the whereabouts of legal heirs of the testatrix. Hence, petitioner has taken out a Chamber Order, having No. 720/2025, to serve the Citation to legal heirs of the deceased by publishing citation in the daily newspaper namely, "Free Press Journal" in English language and "Navshakti" in Marathi language and by post also. Accordingly, affidavit of service has been filed by the Ld. Advocate for the petitioner regarding service vide Rule 400 of the Rules. However, non-consenting legal heirs did not resist the petition.

5) Petitioners stated that the deceased left behind her last Will and Testament, which was duly executed at Mumbai on 25.04.2024 in 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.

6) The petitioner has filed the affidavit of Suraj Sanjay Avhad 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 his thumb impression 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.

7) The petitioner was directed to state about the legal heirs, namely Chandrabhan and Dhanjaya in accordance with the provisions of the Hindu Succession Act 1956 and the petitioner was also directed to state about payment regarding orphan children as per the clause of the will. However, upon mentioning, the Hon'ble court pleased to dispense with the same. Therefore, the petition taken up for passing the further order.

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

9) 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 State of Maharashtra.

08th May, 2026

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with Testamentary Department