

Before: Shri. P. A. Jagdale,
Officer on Special Duty,
With the Testamentary Department
Date: 10th February, 2026

FOR COMPLIANCE:

110. TP/1698/2025	) Shri. Uttam Rane Ld. Advocate for the
(AMH20220001223C202500010)	) Petitioner
with	)
WILL/669/2025	)

P.C.:

- 1) Petitioners, namely (1) DR. VIDYA LOHITAKSHA SURATKAL & (2) REKHA BHARTEE D/o Vasudeva Kilara Iya, filed this petition for grant of Letters of Administration with Will Annexed, being the legatees under the Will executed by VASUDEVA KILARA IYA alias VASUDEVA KIYA s/o K.L.N. Iya, (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 10-08-2024.
- 2) Perused petition. Heard Ld. Advocate for the petitioner. Perused documents. Petitioners, filed the copy of death certificates, an identity proof of the testator, Will and petitioner's oath.
- 3) The executor, namely Shrimati Vasudeva Iya, is reported to have died prior to the testator on 28.05.2020 (Exh.D) and her death certificate has been filed on the record. The petitioners are the beneficiaries under the Will. Hence, the petition is tenable.
- 4) Petitioners stated that the deceased left behind his last Will and Testament, which was duly executed at Mumbai on 12.12.2017, 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 petitioners submit that the testator is survived by petitioners as his legal heirs, whose details are given in the petition's paragraph No. 09, 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 petitioners have filed the affidavit of DR. VIDYA LOHITAKSHA SURATKAL, in pursuance of the order of the Hon'ble Court dated 09.01.2026, vide Rule 384 of the Bombay High Court (OS) Rules, 1980, as attesting Witnesses to the Will are not available. He deposed that he was present during the process of the execution of the Will and he stated that the deceased signed the Testament in his presence and the testator 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. According to him all additions and alteration in a Will were existed at the time of execution 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.

9) Petitioners have filed consent affidavits of Siddhant Bhartee, Vedanth Bhartee and Laasya Suratkhal. They have consented to the petition for issuance of the grant of Letters of Administration to petitioners. Petitioners have 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.

10th February, 2026

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