

Before: Shri. P. A. Jagdale,
Officer on Special Duty,
With the Testamentary Department
Date: 14th January 2026

FOR COMPLIANCE:

98. TP/2125/2025	) Ms. Bhakti Rane Ld. Advocate for the
(AMH20220001223C202500012)	)
with	) Petitioner
WILL/833/2025	)

P.C.:

1) Petitioner, namely (1) DR. VIDYA LOHITAKSHA SURATKAL & (2) REKHA BHARTEE D/o Vasudeva KilaraIya, filed this petition, being the the legatees under the Will executed by SHRIMATI VASUDEVA IYA, W/o Vasudeva Kilara Iya (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 28-05-2020.

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 executors, namely VASUDEVA KILARA TYA alias VASUDEVA K IYA is reported to have died on 10.08.2024_and his death certificate has been filed on the record. The petitioners are the Representatives of the legatee under the Will. Hence, the petition is tenable.

5) Petitioners stated that the deceased left behind her 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.

6) Ld. Advocate for the petitioners submit that the Testatrix is survived by petitioners as her legal heirs, whose details are given in the petition’s paragraph No. 09, as per the provisions of 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) Petitioners state that Will was attested by (1) Laxman Rambadan Singh and (2) Sagar Laxman Kambale. However, one of the attesting witness is expired and another attesting witnesses' whereabouts are not known. Hence, upon mentioning before the Hon'ble Court on 09.01.2025, the Hon'ble Court is pleased to accept the affidavit of petitioner No.1 as a compliance of Rule 384 of the Bombay High Court (OS) Rules, 1980. Furthermore, she deposed that the contents of the Will were read over and explained to the deceased by Ld. Advocate V.M.(full name not mentioned)

9) The petitioner No. 1 has filed an affidavit in form No.102 of Bombay High Court (Original Side) Rules, 1980. She deposed that deceased signed the Testament in her presence and the deceased 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 her 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.

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

11) Other legatees, namely Siddhant Bhartee s/o. Kuldeep Bhartee, (2) Vedanth Bhartee, s/o. Kuldeep Bhartee and (3) Laasya Suratkal, d/o, Lohitaksha Suratkal, have given consents to grant Letters of Administration to petitioner.

12) 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.

14th January 2026

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