

Before: Shri. P. A. Jagdale,
 Officer on Special Duty,
 With the Testamentary Department
 Date: 09th February, 2026

FOR COMPLIANCE:

104. TP/3686/2025	)	Ms. Geeta Sonawane i/b Denzil D'mello
(AMH20240129201C202500006)		
with		
WILL/1407/2025	)	Ld. Advocate for the Petitioner

P.C.:

- 1) Petitioners, namely (1) Joslyn Pereira and (2) Vanessa Pereira Travasso, filed this petition for grant of Letters of Administration with Will Annexed, being legatees under the Will executed by Denzil Aloysius Pereira (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 30-01-2019.
- 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 petitioner has explained the delay vide Rule 382 of the Bombay High Court (Original Side) Rule, 1980(for short "Rules").
- 4) The executor, namely Daryl D'mello have relinquished executorship by filing an affidavit at Ex. C / at page No. 39-42 of the petition. The petitioners are the legatees under the Will. Hence, the petition is tenable.
- 5) Petitioners stated that the deceased left behind his last Will and Testament, which was duly executed at Mumbai on 29.06.2018, 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 testator is survived by his tow son and daughter (i.e. petitioner No. 1 and 2) as his legal heirs, whose details are given in the petition's paragraph No. 09, as per the provisions of the Indian Succession Act, 1925 (for short "IS Act"). 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) The petitioners have filed the affidavit of Nalini Braganza one of attesting Witnesses to the Will, in form No.102 of Bombay High Court (Original Side) Rules, 1980. She deposed that deceased signed the Testament in her 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 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.

9) Properties mentioned in the schedule-I of the petition are referred in the Will. Petitioners have executed the administration Bond in the prescribed format; however, it is not for the gross amount, as per the Schedule-I of the petition. Therefore, directions are required to be given in this regard. Hence, following order:

ORDER

- 1) Petition is granted.
- 2) Office to issue Letters of Administration with Will annexed to the petitioner, renouncing the right of the Executor namely Daryl D'mello, 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.
- 4) The petitioners to correct the amount stated in the Administration Bond, vide Rule 420 of the Bombay High Court (OS) Rules, 1980 and re-upload the same. Furthermore, corrections must be initialed by the petitioner, surety and notary, within 10 days from the date of uploading this order.

09th February, 2026

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