

Before: Shri. P. A. Jagdale,
Officer on Special Duty,
With the Testamentary Department
Date: 28th January 2026

FOR COMPLIANCE:

116. TP/4460/2025	)	
(AMH20240127850C202500001)	)	Ms. Swati Kapadia a/w Ms. Barkha Gupta
with	)	Ld. Advocate for the Petitioner
WILL/1560/2025	)	

P.C.:

- 1) Petitioner, namely Makarand Madhukar Dhokte, filed this petition for grant of Letters of Administration with Will Annexed, being the one of the legatees under the Will executed by Suman Vasant Dhokte, (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 Pannalal Nagar, Paithan, Aurangabad, Maharashtra, on 06.12.2022.
- 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, along with its translation & 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) No executor has been appointed under the Will. The petitioner is the one of the legatee under the Will. Hence, the petition is tenable.
- 5) Petitioner stated that the deceased left behind her last Will and Testament, which was duly executed at Mumbai on 07.03.2022, 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 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 petitioner submits that the Testatrix's husband and Husband's Parents were predeceased her. As per Rule 3 of the Sec. 16 read with Sec. 15(1)(b) of the Hindu Succession Act, 1956 (for short "HS Act"), the testatrix's husbands' brother, namely Madhukar Laxmana Dhokte, died on 06.01.2015 leaving his sole son-Petitioner, who is heir of the testatrix husband as per Sec. 9 of the HS Act. Accordingly, the the testatrix is survived by legal heir, whose details are given in the petition's paragraph No. 09 and 10, 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.

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 petitioner has filed the affidavit of Nandkumar Shankar Sutar, 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 Marathi Language 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.

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

10) Other legatees, namely Sandeep Kasture and Sanjay Kasture, have given consent to grant Letters of Administration to petitioner.

11) 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 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.

28th January 2026

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