

Before: Shri. P. A. Jagdale,
Officer on Special Duty,
With the Testamentary Department
Date: 25th February, 2026

FOR COMPLIANCE:

120. TP/4564/2025	) Ms. Bhanukala K. Karle Ld. Advocate for
(AMH20240004893C202500004)	
with	
WILL/1749/2025	) the Petitioner

P.C.:

- 1) Petitioner, namely Luke Jordan Hookens alias master Luke Jordan Hookens Alias Hookens Luke Jordan, filed this petition for grant of Letters of Administration with Will Annexed, being the representative of legatee under the Will executed by Isabelle Eileen Lynch alias Mrs. Isabelle Lynch alias Mrs. Isabelle Hugo Lynch alias Smt. Isabelle E. Lynch alias I. Lynch alias Lynch alias Isabelle alias Eileen alias Lynch Isabelle Eileen (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 Australia, on 14.10.2022.
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 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 Stellamarie Hookens nee Lynch alias Stella Marie Hookens alias Hookens Stella, is reported to have died on 08.12.2024 and her death certificate has been filed on the record. The petitioner is the Representative of legatee(Stellamarie Hookens nee Lynch alias Stella Marie Hookens alias Hookens Stella) 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 24-08-15, 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 petitioner submits that the Testatrix is survived by her husband-Hugo Lynch alias Lynch Hugo Anthony and daughter Stellamarie Hookens nee Lynch alias Stella Marie Hookens alias Hookens Stella as her legal heirs. Husband of the deceased died on 29.12.2024 and daughter of the deceased died on 08.12.2024. daughter of the deceased died leaving her widower, namely Milton Dominic Son in law Hookens alias Hookens Milton Dominic and son-petitioner, whose details are given in the petition's paragraph No. 14, as per the provisions of Indian Succession Act, 1925. The petitioner

affirmed that there are no other legal heirs of the deceased, except as mentioned in the petition. Legal heir of the testatrix has consented to the petition and thereby waived the service of Citation.

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 affidavits of Janne D'Silva and (2) Felicity Mascarenhas, attesting Witnesses to the Will, in form No.102 of Bombay High Court (Original Side) Rules, 1980. They deposed that deceased signed the Testament in their 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. According to Jeanne D'Silva, 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.

10. the Testatrix made a provision regarding the bequeath which read as under,

"I hereby, give, devise and bequeath all my property and assets, whatsoever and wheresoever located, and whether held by me solely or jointly with another or others, to my husband Mr. Hugo Lynch for life and after his death to my daughter, Mrs. Stellamarie Hookens nee Lynch, absolutely and forever."

11. As per the provision of Sec. 119 and illustration appended thereto as (i) of the IS Act, Stellamarie Hookens nee Lynch alias Stella Marie Hookens alias Hookens Stella has vested interest in the property, because the property was firstly bequeathed to widower of the deceased and after his death to daughter. However, daughter died before the widower and therefore, her representatives are entitled to the legacy. Accordingly, other representative of legatee, namely Milton Dominic Hookens alias Hookens Milton Dominic, has given consent to grant Letters of Administration to petitioner.

12. 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 India.
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.

25th February, 2026

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