

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION

TESTAMENTARY PETITION NO.4797 OF 2025

Veena Vijay Kumar

.. Deceased

Vijay Jayantiprasad Kumar

.. Petitioner

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- Mr. Mutahhar Khan, Advocate i/by Mr. Jamshed Ansari for Petitioner.
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CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 27, 2026

P.C.:

- 1.** Not on Board. Mentioned by way of filing praecipe dated 27.01.2026. Perused the praecipe.
- 2.** Heard Mr. Khan, learned Advocate for Petitioner.
- 3.** Perused the order dated 18.12.2025. Petition is uncontested. Consent Affidavits have now been filed by both the sons. There are no other legal heirs. Oath has been filed.
- 4.** Affidavits of both of attesting witness have been filed. Affidavit-of-service of general citation has been filed. Delay has also been explained and same is condoned by the Department / Registry.
- 5.** Despite this in the order it is stated that Petitioner file praecipe to place matter on board when Petition is completely ready for final Grant.

6. Testamentary Department has once again started its antics of getting the matter ready. I have time and again desisted this practice of Testamentary Department for making the matter ready as it connotes obvious reasons. I deprecate this practice. The Testamentary Registrar and Officer on Special Duty shall desist from making such reference to getting the matter ready.

7. This Petition seeks issuance of probate in respect of the last Will and Testament of Veena Vijay Kumar. Petition is filed by the Executor named in the Will. The two beneficiaries and legal heirs named in the Will are the sons whose names and details have been given in paragraph No.9 of the Petition.

8. The Consent Affidavits dated 10.01.2026 and 09.01.2026 of sons of the deceased namely Vinit Vijay Kumar and Vinay Vijay Kumar are appended separately to the Petition. Affidavit of Executor and Affidavit of attesting witnesses are both appended to the Petition. I have perused the same. The same are in order.

9. In the facts of the present case considering the above, there can be no impediment in allowing the Testamentary Petition in terms of relief prayed for as under:-

“The Probate may be granted to him having effect throughout State of Maharashtra.”

- 10.** Issuance of proclamation stands dispensed with.
- 11.** Testamentary Department is directed to issue grant / probate having effect throughout the State of Maharashtra subject to all other compliances and strictly in accordance with law within a period of two weeks from today positively.
- 12.** With the above direction, Testamentary Petition stands disposed.
- 13.** Testamentary Registrar to see me in the Chambers in respect of reasons which are given in the order dated 18.12.2025.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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by HARSHADA
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