

**Before: Shri. P. A. Jagdale,
Officer on Special Duty,
With the Testamentary Department
Date: 23rd February, 2026**

FOR COMPLIANCE:

94. TP/5044/2025
(AMH20240128529C20250012) Ms. Bhakti Patil i/b Prabhu Velar Ld.
3))
with) Advocate for the Petitioner
WILL/1953/2025

P.C.:

- 1) Petitioners, namely 1) Haresh Arjan Gidwani & 2) Sunil Arjan Gidwani, filed this petition for grant of Letters of Administration with Will Annexed, being the legatees under the Will executed by Arjan Issardas Gidwani alias Arjun I. Gidwani (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 14-02-2011.
- 2) Perused petition. Heard Ld. Advocate for the petitioner. Perused documents. Petitioners, 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 (1) Bhagwan Isardas Gidwani & (2) Sarla Bhagwandas Gidwani, are reported to have died on 12.04.2019 & 25.11.2023, respectively and their death certificates are Ex.C & C-1.
- 5) The testator bequeathed the subject flat to his widow-Kamala Gidwani. She died on 08.06.2017 and therefore, the petitioners are the Representatives of the sole legatee under the Will. Hence, the petition is tenable, vide sec. 233 of the Indian Succession Act, 1925 (for short "IS Act").
- 6) Petitioners stated that the deceased left behind his last Will and Testament, which was duly executed at Mumbai in English language. According to the petitioner the will is executed on 15.10.2008. 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.
- 7) Ld. Advocate for the petitioners submits that the testator is survived by his widow-Kamala Gidwani, petitioners and Sonu Murjani, as his legal heirs, whose details are given in the petition's paragraph No. 08, as per the provisions of the Hindu Succession Act, 1956. Deceased's Widow died on 08.06.2017. The petitioner affirmed that there are no other legal heirs of the deceased, except as mentioned in the petition. Legal heir of the testator has consented to the

petition and thereby waived the service of Citation.

8) 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.

9) The petitioners have filed the affidavit of Manoj Kishnchand Mansukhani one of attesting Witnesses to the Will, in form No.102 of Bombay High Court (Original Side) Rules, 1980. He deposed that deceased affixed his thumb impression 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 contents of the Will were read over to the testator before signing the Will. Hence, there is sufficient compliance of the Rule 419 of the Rules.

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

11) Other representative of the sole legatee, namely Sonu Murjani, has given consent to grant Letters of Administration to petitioner. 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.

23rd February, 2026

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