

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

FOR COMPLIANCE:

125. TP/5256/2025	) Shri. Ameya Mahajan Ld. Advocate for the
(AMH20230010518C202500013)	) Petitioner
with	)
WILL/1800/2025	)

P.C.:

1) Petitioners, namely (1) Vinayak Pruthviraj Bachhav & (2) Nishant Pruthviraj Bachhav, filed this petition for grant of Letters of Administration with Will Annexed, being the legatees under the Will executed by Rekha Pruthviraj Bachhav alias Rekha Bachhav alias Rekha P. Bachhav alias Bachhav Rekha Pruthviraj (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 Mumbai on 15.05.2023.

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) No executor has been appointed under the Will. The petitioners are the Legatees under the Will. Hence, the petition is tenable.

4) Petitioners stated that the deceased left behind her last Will and Testament, which was duly executed at Mumbai on 14.02.2022, 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.

5) Ld. Advocate for the petitioners submits that the Testatrix's husband predeceased her and she survived by petitioners and daughter (Priyanka Paras Vaghela), as her legal heirs, whose details are given in the petition's paragraph No. 07, 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.

6) Citation to non-consenting legal heir of the deceased, namely Priyanka Paras Vaghela, was issued and sent at his address. However, she has not claimed it. Hence, Ld. Advocate for the petitioner is relied upon the Order passed in TP No.119/2020, Asha Pandurang Kadam (Deceased) and Ajay Bhalchandra Kulkarni (Petitioner) delivered on 15.06.2023 (CORAM: MILIND N. JADHAV, J). He submits that the citation was issued at his correct address. Hence, Service is completed vide Rule 397 of the BHC Rules. However, non-consenting legal heir did not resist 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 Onkar Bala Ghadge 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 his 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.

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

10) Another legatee, namely Priyanka Paras Vaghela, has not given consent to grant Letters of Administration to petitioner. Hence, the department has raised an requisition regarding justifying the surety to the administration Bond vide Rule 422 of the Bombay High Court (OS)Rules, 1980. However, the Hon'ble Court vide an order dated 16.02.2026, dispensed with the said requisition.

11) Petitioners have 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 petitioners, 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.

25th February, 2026

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