

HARSHADA H. SAWANT
(P.A.)

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

TESTAMENTARY PETITION NO.5368 OF 2025

John Erskine David Hopcroft alias John Hopcroft
alias John E. D. Hopcroft .. Deceased

Rosemarie Agnes Read and Anr. .. Petitioners

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• Ms. Jyoti Badgujar, Advocate i/by Lakdawala & Co. for Petitioners.
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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 Ms. Badgujar, learned Advocate for Petitioners.

3. Since Ms. Badgujar informs the Court that Executor of last Will and Testament have directly applied to the Court and not to any Power of Attorney.

4. In that view of the matter, objection raised in requisition dated 20.01.2026 shall not apply to the present case.

5. She would submit that only if Executor applies through Power of Attorney then Application could be in the requisite Form No.105 of the High Court Rules and Forms 1980 and in that event only compliance of Section 228 of the Indian Succession Act would be required since Petition would be for Grant of Letters of Administration

with Will annexed.

6. In the present case, it is case of Petitioner that Petition is filed for Probate and by the Executors directly.

7. In that view of the matter, the requisition in order dated 20.01.2026 stands dispensed with.

8. Department to proceed further in accordance with law.

9. Praecipe is disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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