

Before: Shri. P. A. Jagdale,
 Officer on Special Duty,
 With the Testamentary Department
 Date: 04th March, 2026

FOR COMPLIANCE:

123. TP/5753/2025	)	Ms. Akshata Kadam i/b Shobhana
(AMH20240007201C202500009)	)	
with	)	Waghmare Ld. Advocate for the Petitioner
WILL/2177/2025	)	

P.C.:

- 1) Petitioner, namely Leela Ravindra Rabhadia, filed this petition for grant of Letters of Administration with Will Annexed, being the sole legatee under the Will executed by Sunanda Ramakant Kudav (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 30-05-2015.
- 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) No executor has been appointed under the Will. The petitioner is the beneficiary under the Will 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 24.07.2014, in Marathi language. In view of the Order of the Hon'ble Court passed in the TP No. 1263/2023, the Ld. The advocate for the petitioner has filed an affidavit stating that the translation of the Will is a true translation as per the contents of the Original Will. 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 died as Widow and she survived by Umesh Kudav and Santosh Kudav (Sons) as **her** legal heirs, whose details are given in the petition's paragraph No. 09, 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.
- 7) Citation to non-consenting legal heirs of the deceased, namely Umesh Kudav and Santosh Kudav, was issued, at the addresses mentioned in the petition. Citation issued to Umesh Kudav and Santosh Kudav is duly served upon them via Registered post AD by bailiff of the office of the sheriff, as per BHC Rules. However, non-consenting legal heirs did not resist the petition.

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 petitioner has filed the affidavit of Omkar Chandrakant Salgaonkar 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 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.

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

04th March, 2026

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