

Before: Shri. P. A. Jagdale,  
 Officer on Special Duty,  
 With the Testamentary Department  
 Date: 09th March, 2026

**FOR COMPLIANCE:**

|                            |   |                                    |
|----------------------------|---|------------------------------------|
| 105. TP/6315/2025          | ) |                                    |
| (AMH20230013969C202500017) | ) | Ms. Sakina Shaikh Ld. Advocate for |
| with                       | ) | the Petitioner                     |
| WILL/2386/2025             | ) |                                    |

PC.:

- 1) Petitioners, namely (1) Prakash Durgesh Gursingh (2) Karan Satish Gursingh, and (3) Jitendra Mukesh Gursingh, filed this petition for grant of Letters of Administration with Will Annexed, being the legatees under the Will executed by Bindu Manoharlal Gursingh, (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 02-05-2023.
- 2) Perused petition. Heard Ld. Advocate for the petitioners. Perused documents. Petitioners, filed the copy of death certificate, an identity proof of the testator, Will, along with its official translation, petitioner's oath.
- 3) No executor has been appointed under the Will. The petitioners are the beneficiaries 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 04.05.2026. The said Will is registered with the Office of Sub Registrar bearing Registration Receipt No. KRI-21855312022 dated 05/05/2022. Said Will is 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 died as Widow and parents of her husband were predeceased to the deceased. The Testatrix is survived by her Husband's Heirs. Durgesh, her husband's brother, died on 28/11/2017, leaving behind his heirs such as his widow-Vimla, his son-Petitioner, Daughter-Deepa. Her husband's another brother Satishkumar Gursingh and her husband's sister-Savita Ram Bajaj as her legal heirs, whose details are given in the petition's paragraph No. 08, as per the provisions of Sec. 15(1)(b) 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. Legal heirs of the testatrix have consented to the petition and thereby waived the service of Citation.
- 6) 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.

7) The petitioners have filed the affidavits of Pooja Mukesh Gursingh & Garima Prakash Gursingh, attesting Witnesses to the Will, in form No.102 of Bombay High Court (Original Side) Rules, 1980. They deposed that deceased signed the Testament in their 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.

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

09th March, 2026

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