

BEFORE : MRS. KAVITA Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 20th February, 2026

CALLED FOR HEARING :

23 TP/6344/2025 (E-filing)
WITH WILL/2390/2025

Mr. Kush Shah i/b. Vikrant D. Shetty, Advocate for petitioner

- PC :** 1. Perused Petition. Heard Ld. Advocate for petitioner. This petition is for Probate of last joint Will and Testament of deceased filed by petitioner namely Prabhu Krishnamachari being Executor named under the Will of deceased. The deceased No. 1 namely Shankar Issardas Khatwani died at Mumbai on 21.03.2025. Copy of death certificate is annexed to the petition. Identification proof of deceased viz. copy of Aadhaar Card is annexed to the petition. Deceased No. 2 namely Rajni Shankar Khatwani died at Mumbai on 04.11.2024. Copy of death certificate is annexed to the petition. Identification proof of deceased viz. copy of Aadhaar Card is annexed to the petition.
2. The deceased left behind their last joint Will and Testament which was duly executed at Mumbai on 26.12.2020. The said Will is in English language. The Para No. 4 of the Will refers to the appointment of Executor. Only one Executor appointed under the Will who is petitioner herein. Residuary clause in respect of properties of deceased is mentioned at para No. 12 of the Will.
3. Ld. Advocate for petitioner submits that both the deceased were husband and wife. Parents of both the deceased predeceased the deceased. Both the deceased were survived by two sons who have given their consents in favour of the petitioner herein. Consent Affidavits are on record. There are no other legal heirs.
4. **Deceased No. 1 is independently and separately holding properties of about more than Rs. 5 crores and deceased No. 2 is holding separately and independently property of about Rs. 15 crores. The deceased Nos. 1 and 2 are separately holding estate and as per section 23 of the Maharashtra Court Fees Act, 1959, though it is joint Will, the petitioner is required to pay separate court fees for deceased Nos. 1 and 2. Therefore, petitioner to pay additional court fees of Rs.75,000/- separately for deceased No. 2.**
5. Petitioner's oath is filed. Affidavit of Jignesh Parekh dated 20.11.2025 one of the Attesting Witness to the Will is filed. Affidavit of Service of General Citation dated 19.01.2026 is filed. Delay is explained and the same is condoned. All other legal formalities are complied with. Hence, petition is granted.
6. Office to issue Probate **subject to payment of court fees as stated in para No. 4 hereinabove** and after verifying whether any cross petition is filed or whether any caveat is filed.

20.02.2026

COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR