



BEFORE : MRS. KAVITA Y. AMBEKAR
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 26th March, 2026

2024:BHC-OS:19370

CALLED FOR HEARING :

7 TP/603/2014

Ms. Swati Sawant, Advocate for petitioner

- PC :** 1. Perused Petition. Heard Ld. Advocate for petitioner. As per order dated 17.09.2025 passed by the Hon'ble Court in TP No. 603 of 2014, the Hon'ble Court has recorded that the Suit No. 82 of 2012 stands abated. Ld. Advocate for Plaintiff therein had no objection, if the Probate is granted in the present petition. In view of this, TP No. 482 of 2010 which was converted into Suit No. 82 of 2012 was filed by Plaintiff namely Sarojkumar Nathmal Agarwal, stood abated and disposed of, as plaintiff has expired. Hence, I now proceed with the present petition.
2. This petition is for Probate of last Will and Testament of deceased filed by petitioner namely Sajjankumar Nathmal Agarwal being Executor named under the Will of deceased. The deceased namely Ramkuribai Shivdanmal Agarwal died at Mumbai on 18.09.1978. Copy of death certificate is annexed to the petition.
3. The deceased left behind her last Will and Testament which was duly executed at Mumbai on 26.03.1972. The said Will is in English language. The Para No.8 of the Will, petitioner and Sarojkumar Agarwal were appointed joint alternate Executors under the Will. The said Sarojkumar Agarwal filed the another petition being TP No. 482 of 2010, which was converted into Suit being TS No. 82 of 2012 which was disposed of as stated hereinabove. Residuary clause in respect of properties of deceased is mentioned at para No. 5 of the Will.
4. Ld. Advocate for petitioner submits that husband of deceased predeceased the deceased. Deceased had three daughters and one son who all have expired leaving behind their legal heirs as stated in para No. 9 of the petition. Out of them one grandson is petitioner herein and **all other legal heirs are required to be verified and due to paucity of time, matter is adjourned.** There are no other legal heirs.
5. Petitioner's oath is filed. **Petitioner has filed Affidavit dated 11.12.2018 stating therein that both the original Attesting Witnesses have expired therefore, petitioner has filed Affidavit of Gyarsilal Narayandas Agarwal as an Affidavit of Attesting Witness dated 26.11.2018 is only for confirming the signature of Attesting Witness namely Gopichand, however, Advocate to take steps accordingly. Affidavit of Service of General Citation dated is not filed. Delay is explained and the same is condoned.**
6. S. O. to 07.04.2026.

26.03.2026

COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR