

**BEFORE : MRS. KAVITA Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 8th May, 2026**

CALLED FOR HEARING :

18 TP/2278/2023
WITH
WILL/947/2023

Ms. Bina Shivhare, Advocate for petitioner

- PC :**
1. Perused Petition. Heard Ld. Advocate for petitioner. This petition is for Probate of last Will and Testament of deceased filed by petitioner namely Kunal Anil Kakad being Executor named under the Will of deceased. The deceased namely Pratima Kirit Kakad died at Vaodara, Gujarat on 03.05.2021. 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 her last Will and Testament which was duly executed at Mumbai on 08.08.2017. The said Will is in English language. The Para No.2 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. 10 of the Will.
 3. Ld. Advocate for petitioner submits that parents, parents of husband, husband and minor son of deceased predeceased the deceased. As per para No. 9 of the petition, deceased is survived by one brother-in-law and four sister-in-laws. Out of them one brother-in-law and three sister-in-law have given their consents in favour of the petitioner herein. Consent Affidavits are on record. One sister-in-law of deceased namely Amita has been served with the citation through the office of Sheriff, Mumbai and Affidavit dated 28.04.202026 is filed to that effect. The said Amita had filed Caveat being CTSL No. 32693 of 2023 and the same is rejected by an order dated 19.12.2024. There are no other legal heirs.
 4. Petitioner's oath is filed. Affidavit of Anil Purshottam Kakad dated 01.10.2021 one of the Attesting Witness to the Will is filed. Affidavit of Service of General Citation dated 31.10.2023 is filed. Delay is explained and the same is condoned. All other legal formalities are complied with. Hence, petition is granted.
 5. Office to issue Probate as prayed after verifying whether any cross petition is filed or whether any caveat is filed.

08.05.2026

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**