

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

PETITION NO. _____ OF 2020

████████████████████

... Deceased

████████████████████

... Petitioner

INDEX

SR.NO.	DATE	EXHIBIT	PARTICULARS	PAGE NOS.
			Proforma	
			Petition	
		A	Copy of death certificate	
		B	Consent Affidavit of ████████████████████ ██████████ (Legal Heir)	
		C	Schedule I	
			Administrator's / Petitioner's Oath	

			Memorandum of Registered Address of the Petitioner	
			Vakalatnama	

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

PETITION NO. _____ OF 2020

Petition for Letters of Administration,
without Will, to the Property and Credits
of late [REDACTED] alias
[REDACTED] ... The Deceased

[REDACTED] ... Petitioner

PROFORMA

Office Notes, Office Memorandum of Coram appearance, Court's Orders or direction and Prothonotary's Orders.	Court's or Judge's Orders
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

PETITION NO. _____ OF 2020

Petition for Letters of Administration,
without Will to the Property and Credits
of late [REDACTED] alias
[REDACTED], of Mumbai, Hindu, Indian
Inhabitant, unemployed, residing at the
time of her death at [REDACTED]
[REDACTED]
[REDACTED]

... Deceased

[REDACTED])

of Mumbai, Hindu, Adult,)

Indian Inhabitant aged about 75 years,)

Occupation: Retired, residing at [REDACTED],)

[REDACTED],)

[REDACTED],)

[REDACTED], being the mother)

of the deceased abovenamed.) ... Petitioner

To,

THE HON'BLE CHIEF JUSTICE AND OTHER HON'BLE JUDGES

OF THE HON'BLE HIGH COURT OF JUDICATURE AT BOMBAY

THE PETITION OF THE PETITIONER ABOVE NAMED

MOST RESPECTFULLY SHEWETH:

1. That the abovenamed [REDACTED] died at [REDACTED], [REDACTED] on or about, in the early at or about 09:15 AM, on 22nd March, 2020.

*Hereto annexed and marked **Exhibit A** is a copy of the death certificate of the deceased.*

2. That the said deceased at the time of her death was residing alone at [REDACTED], [REDACTED], and has left certain properties in Greater Bombay in the State of Maharashtra.

3. That the deceased died intestate and that due and diligent search has been made for a Will, but none has been found.

4. That the deceased left behind the surviving as her only heirs and next-of-kin according to the section 15 of the Hindu Succession Act, 1956 the following persons:

Sr. No.	Name	Relationship with Deceased	Address
1	[REDACTED], aged about 75 years.	Mother of the Deceased	[REDACTED] [REDACTED] [REDACTED],

			<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
2	<p>[REDACTED], aged about 85 years.</p>	<p>Father of the Deceased</p>	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>

5. That the deceased also has a brother, [REDACTED], [REDACTED], the [REDACTED] however, he is not a next-of-kin in terms of Section 15 of the Hindu Succession Act, 1956. Save and except mentioned herein above, there are no other heirs left by the deceased.

6. That the Petitioner being the mother of the deceased claims to be and is entitled to 100% shares of the estate of the deceased.

7. The Petitioner states that all the above legal heir / next of kin of the deceased have given their full and free consent in favor of the Petitioner. The consent given by the abovenamed legal heir / next of kin of deceased are annexed hereto. That [REDACTED] [REDACTED] has provided his Consent to the same via Affidavit.

*Hereto annexed and marked as **Exhibit B** is the Consent Affidavit of Mr. Bhimeshwara Rau Challa.*

8. Hence, the Petitioner being the sole beneficiary of the estate of the Deceased, has filed this Petition for obtaining the Letters of Administration without a Will, in her own name.

9. That the Petitioner has truly set forth in Schedule No. I hereto annexed and marked as **Exhibit C**, all the property and credits which the deceased died possessed of or entitled to at the time of her death, which have or are likely to come to Petitioner's hands.

10. Since there are no expenses carried out on behalf of the deceased, Schedule No. II is not annexed herewith. That no property was held by the deceased as a trustee for another and thus Schedule No. III is not annexed herewith.

11. That the assets of the deceased, are of the value of about Rs.

[REDACTED]

12. That no application has been made to any District Court or District Delegate or to any other High Court for probate of any Will of the said deceased or for Letters of administration with or without the Will annexed, to her property and credits.

13. That the Petitioner being a senior citizen was not aware of obtaining any legal representation. The Petitioner has been recently informed and advised to obtain legal representation

and hence there is no delay in filing this Petition. The delay, if any caused, may be condoned.

14. The Petitioner states that Letters of Administration without a Will, having effect throughout India has been prayed for.

15. The Petitioner therefore prays

- a. That Letters of Administration without a Will may be granted to the Petitioner as the Administrator to the property and credits of the deceased, having effect throughout the State of Maharashtra and the Union of India.
- b. Any other relief as this Hon'ble Court may deem fit in the interest of justice and equity.

Petitioner

Advocate for the Petitioner

VERIFICATION

I, [REDACTED], the Petitioner abovenamed, do hereby solemnly declare that whatever is stated in the paragraphs ___ to ___, and ___ & ___ are true to my own knowledge and what is stated in paragraphs ___ & ___ is stated on information and belief, and I believe the same to be true.

Solemnly Affirmed at Bombay)

This _____ day of October, 2020)

Petitioner

Before Me,

Advocate for the Petitioner

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

PETITION NO. _____ OF 2020

Petition for Letters of Administration,
without a Will annexed to the Property
and Credits of [REDACTED]
alias [REDACTED] of Mumbai, Hindu,
Indian Inhabitant, Unemployed, residing
at the time of her death at, [REDACTED]
[REDACTED]
[REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED]

... The Deceased

[REDACTED] of Mumbai, Hindu,
Adult, Indian Inhabitant aged about 75
years, Occupation: Retired, residing at [REDACTED]
[REDACTED]
[REDACTED],
being the Sole / beneficiary under the estate
of the deceased

... Petitioner

CONSENT AFFIDAVIT OF MR. BHIMESWARA RAU CHALLA

(LEGAL HEIR)

I, [REDACTED], aged about 85 years, residing at

[REDACTED]

[REDACTED], do hereby state on solemn affirmation

as under –

1. I say that I am aware of [REDACTED], the deceased abovenamed, died in at [REDACTED], without leaving a Will.

2. I say that I am aware that [REDACTED], the mother of the deceased, who is the sole beneficiary under the estate of the deceased (post receipt of my consent), the Petitioner abovenamed, has filed a Petition for obtaining Letters of Administration without a Will annexed, before this Hon'ble Court at Bombay, in her capacity as an Administrator named therein in the Petition.

3. I say that that I have No-Objection and hereby give my full and free consent to the Letters of Administration with Will annexed, being granted to the Petitioner abovenamed without service of Citation upon me and without any surety being justified in respect of unpaid legacy, if any, in the matter. I also hereby wave the service of Notice/or Citation of the Petition being served upon me.

Whatever I have stated hereinabove is true and correct to the best of my knowledge and belief.

Solemnly affirmed at Mumbai)

This ____ Day of October, 2020)

Identified by me

Deponent

[REDACTED]

Before me

[REDACTED]

Advocate for the Petitioner

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION

PETITION NO. _____ OF 2020

Petition for Letters of Administration,
with Will annexed to the Property and
Credits of [REDACTED] alias
[REDACTED] of Mumbai, Hindu, Indian
Inhabitant, Unemployed, residing at the
time of her death at, [REDACTED]
[REDACTED]
[REDACTED].

... The Deceased

[REDACTED],

of Mumbai, Hindu, Adult, Indian

Inhabitant aged about 75 years,

Occupation: Resident, residing at [REDACTED]

[REDACTED]

[REDACTED] being the

Sole / beneficiary under the Will

... Petitioner

SCHEDULE NO. I

**Valuation of the immovable and movable properties of the
deceased in the state of Maharashtra**

1. [REDACTED] having carpet area of [REDACTED]
[REDACTED]. on [REDACTED]
[REDACTED].

Valuation Amount: [REDACTED]

2. Motor Vehicle (Car) being a Honda CRV bearing Chasis Number:

[REDACTED]; Engine Number: [REDACTED]

Valuation Amount: Rs. [REDACTED]

3. Motor Vehicle (Car) being a Honda City 1.5 S MT (BS IV) bearing

Chasis Number: [REDACTED]; Engine Number:
[REDACTED].

Valuation Amount: [REDACTED]/-

Total Valuation Amount (1+2+3): Rs. [REDACTED]/-

Petitioner

Advocate for the Petitioner

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

PETITION NO. _____ OF 2020

Petition for Letters of Administration,
with Will annexed to the Property and
Credits of [REDACTED] alias
[REDACTED] of Mumbai, Hindu, Indian
Inhabitant, Unemployed, residing at the
time of her death at, [REDACTED]
[REDACTED]
[REDACTED]

... The Deceased

[REDACTED],

of Mumbai, Hindu, Adult, Indian

Inhabitant aged about 75 years,

Occupation: Resident, [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] being the

Sole / beneficiary under the Will

... Petitioner

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

PETITION NO. _____ OF 2020

[REDACTED]

... Deceased

[REDACTED]

... Petitioner

MEMORANDUM OF REGISTERED

ADDRESS OF THE PETITIONER

Name of the Petitioner:

[REDACTED]

Name and address of the Advocate for the Petitioner:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

Petitioner

Advocate for the Petitioner

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

PETITION NO. _____ OF 2020

Petition for Letters of Administration, without a
Will annexed to the Property and Credits of Ms.

_____ alias _____ of
Mumbai, Hindu, Indian Inhabitant,
Unemployed, residing at the time of her death
at, _____

... The Deceased

aged about 75 years, Occupation: Retired,

residing at _____

_____,

being the Sole / beneficiary under estate of the deceased

... Petitioner

ADMINISTRATOR'S/PETITIONER'S OATH

I, _____, the Mother of the deceased, do hereby
Solemnly affirm that I am the sole legatee having a beneficial interest

therein, the mother of the deceased, and that I will faithfully administer the property and credits of the said deceased and in any way by paying first her debts, if any, and then the legacies therein bequeathed so far as the said assets will extend, and that I will make and exhibit a full and true inventory of the said property and credits in this Hon'ble Court within six months from the date of the grant to be made to me or within such further time as this Hon'ble Court may from time to time appoint and also render true account of my administration to this Hon'ble Court within one year from the same date or within such further time as the said Court may from time to time appoint.

I say that I have not intermeddled with the estate, property of the deceased and I will not intermeddle thereon in future. I say that I am also a 50% co-owner of the flat as mentioned in Schedule I.

Solemnly affirmed at Mumbai)

This ____ Day of October, 2020)

Petitioner

Before me,

Advocate for the Petitioner