No. 102

Affidavit of the attesting witness (Rules 374 and 375)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
PETITION NO. OF 19 .

Petition for probate of the last Will and testament of
..... Deceased.

..... Petitioner.

I, ... do swear in the name of God / solemnly affirm and say as follows :

(1) That I knew and was well acquainted with the deceased ..... abovenamed.

(2) That on the ..... day of ..... 19 I was present together with ..... at the house of ..... and we did then and there see the deceased set and subscribe his name at foot of the testamentary paper in the ..... language and character, which is referred to in the petition herein and marked Exhibit "A", and declare and publish the same as his last Will and testament.

(3) That thereupon I, this deponent and the said ..... did at the request of the said deceased and in his presence and in the presence of each other all being present at the time set and subscribe our respective names and signatures at foot of the said testamentary paper as witnesses thereto.

(4) That the name and signature ..... subscribed at the foot of the testamentary paper as of the party executing the same is in the proper handwriting of the said deceased and the name, signature and additions "....." also subscribed and written at foot of the said testamentary paper as of the parties attesting execution of the same are in the proper respective handwritings of the said ..... and of me this deponent respectively.

(5) That at the time the said deceased so subscribed his name and signature to the said will as aforesaid ..... he was of sound and disposing mind, memory and understanding and to the best of my belief made and published the name of his free will and pleasure.

Sworn / Solemnly affirmed at .....
this ..... day of ..... 19 .

Before me,
Assistant, Master/Associate,
High Court, Bombay.

Advocate for ....

Note.- If the testator makes a mark or signs in a language other then the Will is written in, the affidavit should state whether the Will was read over and explained to him, and if there are any scorings, alterations or insertions, it should be stated whether they existed at the time of the execution of the Will.