

# TESTAMENTARY AND INTESTATE JURISDICTION

No. 97

## Petition for probate of a will. (Rule 374)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

PETITION NO. OF 19

Petition for probate of the will of (a)

..... Deceased.

..... Petitioner.

- (a) Insert name in full, place of residence and occupation. If deceased was a bachelor or spinster that should be stated.**

THE PETITION OF THE PETITIONER ABOVENAMED  
TO THE HON'BLE THE CHIEF JUSTICE AND JUDGES OF THE HIGH  
COURT

*SHEWETH :-*

- (1) That the abovenamed ..... died at ..... on or about the ..... day of ..... 19 .
- (2) That the said deceased at the time of his death had a fixed place of abode at ..... and/or left property within Greater Bombay and in the State of Maharashtra and elsewhere in India.
- (3) That the said deceased left a writing, which is his last will and testament. The said writing, hereinafter referred to as the will, is marked Exhibit "A" and is handed in separately for being filed and kept in a safe place in the office of the Prothonotary and Senior Master. A copy of the said will is hereto annexed and also marked Exhibit "A".
- (4) That the said will was duly executed at ..... on the ..... day of ..... 19 .
- (5) That the petitioner is the executor or one of the executors named in the said will or the executor according to the tenor thereof.
- (6) That the petitioner has truly set forth in schedule No. I, hereto annexed and marked Exhibit "B", all the property and credits which the deceased died possessed of or entitled to at the time of his death, which have or are likely to come to his hands.
- (7) That the petitioner has truly set forth in schedule No. II, hereto annexed the marked Exhibit "C", all the items that by law he is allowed to deduct for the purpose of ascertaining the net estate of the deceased.
- (8) That the petitioner has truly set forth in Schedule No. III, hereto annexed and

marked Exhibit "D", the property held by the deceased as trustee for another and not beneficially or with general power to confer a beneficial interest.

(9) That the assets of the deceased after deducting the items mentioned in Schedule No. II but including all rents, interest and dividends which have accrued since the date of the death of the deceased and increased value of the assets since the said date are of the value of Rs. ....

**(b) State what law.**

(10) That the said deceased left him surviving as his only heirs and next-of-kin according to (b) ..... law the following persons, who are residing at the addresses set out against their respective names :-

**(c) or if made, state to what Court, by what person and what proceedings have been taken.**

(11) 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 his property and credits.

**(d) or throughout India.**

The petitioner prays that probate may be granted to him having effect throughout the State of Maharashtra (d).

I ..... , the petitioner abovenamed do swear in the name of God that what is stated in paragraphs solemnly affirm

..... is true to my own knowledge and that what is stated in the remaining paragraphs is stated on information and belief and I believe the same to be true.

Sworn

Solemnly affirmed at .....

this ..... day of ..... 19

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

Advocate for .....