

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

PETITION NO. _____ OF 20__

Petition for Letters of Administration with a
copy of an authenticated copy of the Will
annexed to the property and credits of

*[Insert name in full, nationality, domicile,
religion(in case of Muslims, mention sect),
marital status, occupation and, place of
residence at the time of death. If the
deceased was a bachelor or spinster, that
should be stated]*

....Deceased

_____)

_____)

_____)

(insert full name, age, nationality, domicile,)

Occupation and full address of Constituted Attorney)

Constitute Attorney of _____)

_____)

(insert full name, age, nationality, domicile,)

Occupation and full address of original Petitioner))

being the _____ Executor or Executors (mention)

exact capacity) named in the Will of the abovenamed)

Deceased.

)PETITIONER.

THE PETITION OF THE PETITIONER ABOVENAMED

TO

THE HONOURABLE THE CHIEF JUSTICE AND JUDGES OF THE HIGH COURT

SHEWETH:-

(1) That the abovenamed _____
(insert full name of the Deceased) died at _____
(insert place of death of the Deceased) on or about the _____ day of
_____, 19__ / 20__ (insert date of death of the Deceased).

A true copy of Death Certificate of the Deceased is annexed hereto and marked as Exhibit “_____” and a true copy of identity proof of the Deceased is annexed hereto and marked as Exhibit “_____”. (if no identity proof is available, say so, and mention reason and annexe true copy of documentary proof in support thereof)

(2) That the said deceased at the time of death left property within Greater Mumbai and in the State of Maharashtra and elsewhere in India. (details may be corrected as per the facts of the case)

(3) That hereto annexed and marked Exhibit “_____”, is the properly authenticated copy (*See section 228 of the Indian Succession Act, 1925*) of the Probate of the Will of the said Deceased which Probate was granted on the

_____ day of _____, 20_____ (*insert date on which Probate was granted by foreign court*) under the Seal of the _____ (*insert name and address of the foreign court*) to the said _____ (*insert full name of the Executor to whom Probate was granted*), Executor named in the said Will.

(4) That the said _____ (*insert full name of original Petitioner*) _____ is to the best of the Petitioner's beliefs at present residing at _____ in _____ (*insert full address of original Petitioner*) _____.

(5) That the Petitioner has truly set forth in Schedule No.I, hereto annexed and marked as Exhibit "_____", 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.

(6) That the Petitioner has truly set forth in Schedule No. II, hereto annexed and marked Exhibit "_____" all the items that by law he is allowed to deduct for the purpose of ascertaining the net estate of the Deceased.

(7) That, the Petitioner has truly set forth in Schedule No. III, hereto annexed and marked Exhibit "_____", the property held by the Deceased as a trustee for

another and not beneficially or with general power to confer a beneficial interest.

(8) 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. _____

(insert net total amount of Schedule annexed to Petition)

(9) That the said _____ *(insert full name of the Executor)* as such Executor as aforesaid has by the Power of Attorney, hereunto annexed and marked as Exhibit “ _____”, bearing date the _____ day of _____, 20____ appointed _____ *(insert full name of Constituted Attorney)* to be his attorney for him and in his name and on his behalf to apply for and obtain a grant of Letters of Administration to the estate of the said Deceased, with a copy of the said Probate of the said Will annexed, from the High Court at Bombay or any other competent Court in India limited to the property which the said _____ *(insert full name of the Deceased)* died possessed or entitled to in India.

(10) That no application has been made to any Court, other than the Court referred to in paragraph 3 above, for Probate of any Will of the said Deceased nor to any Court for Letters of Administration to his property and credits (with or

without a copy of an authenticated copy of the Will annexed) *(or if made, state to what Court, by what person and what proceedings have been taken).*

The Petitioner prays that Letters of Administration (with a copy of the authenticated copy of the Will annexed) to the property and credits of the said _____ *(insert full name of the Deceased)* deceased may be granted to him, having effect throughout the State of Maharashtra / India for the use and benefit of the said _____ *(insert full name of Executor)* as such Executor as aforesaid and limited until he shall obtain Probate of the said Will from this Hon'ble Court.

Sworn / Solemnly affirmed at _____)

This _____ day of _____, 20____)

Advocate for Petitioner

PETITIONER

VERIFICATION

I, _____, *(insert full name of Petitioner)* the Petitioner abovenamed, do swear in the name of God / solemnly affirm that what is stated in paragraphs _____ is true

to my own knowledge, and 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 _____, 20____)

Before me,

Advocate for Petitioner