

Affidavit of the attesting witness

(See rules 374 and 375)

Form No. 102

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION PETITION No. **456/2020** of 2020

Petition for probate of a will of **John Doe** resident **123 Marine Drive, Mumbai** having occupation of **Retired Officer** Deceased

**Jane Doe**

Petitioner

I, **Michael Smith**, aged about **45** years, residing at **789 Churchgate Road, Mumbai** swear in the name of God and say as follows:-

- 1) That I knew and was well acquainted with the deceased **John Doe** above named
- 2) That on the **15th March 2020**, I was present together with **Jane Doe** at the house of **John Doe** and we did then and there see the said deceased set and subscribe his name at foot of the testamentary paper in the English language and character, which is referred to in the petition herein and marked Exhibit "B", and declare and publish, the same as his last Will and testament.
- 3) That thereupon I, this deponent and the said **Jane Doe** did at the request of the said deceased and in his presence and in the presence of each other all being present at the same 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 **John Doe** subscribed at the foot of the testamentary paper as of the party executing the same is in the proper hand-writing of the said deceased and the name and signature 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, **John Doe**, 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 at **Mumbai** }

this **10** Day of **June** 2020 }

Before Me,

Assistant Master / Associate,

High Court, Bombay

Advocate for **Jane Doe**