

FAMILY ARRANGEMENT TO ADOPT AN UNATTESTED WILL

THIS DEED OF FAMILY ARRANGEMENT is made at.....on this.....day of20.....between Shri A son of B resident of..... (hereinafter called as Shri A) of the FIRST PART and Smt. C widow of B resident of.....(hereinafter called as Smt. C) of the SECOND PART and Smt. D wife of resident of.....(hereinafter called as Smt. D) of the THIRD PART.

WHEREAS

(1) The said B son of.....resident of.....died intestate on.....leaving Smt. C his widow, Shri A and Smt. D, the son and daughter being the only legal heirs

Comment [P1]: B, owner of properties died intestate

(2) After the death of the said B, a will, a copy whereof is set out in the Schedule hereunder written (hereinafter called the will) dated.....signed by the said B and purporting to be his will has been found in his almirah, but the said will is not attested by two witnesses as required by law.

Comment [P2]: Will executed by B found which is not attested .

(3) The parties hereto are of an opinion that the last wishes of the said B should be fulfilled and these should not remain unfulfilled due to technicalities of law and therefore they are desirous of giving full effect to the said will.

Comment [P3]: Parties desire to give effect to the will

(4) The said B has appointed Shri A as executor of the said will for the purposes therein appearing.

Comment [P4]: Appointment of executor

NOW THIS DEED WITNESSETH AS FOLLOWS

(1) It is agreed between the parties hereto that full effect shall be given to all the terms of the will of the said B, as though the same was the last will of the said B duly executed and attested and probated.

Comment [P5]: Agreement of parties to give effect to the unattested will

(2) The parties hereto shall not make any claim to any part of the estate or effects of the said B as being his widow and children otherwise in accordance with the terms of the will.

Comment [P6]: Parties covenant not to make any claim to the estate of deceased as legal heir

(3) The executor shall administer the will and all the parties hereto will assent to the vesting of the property in the executor

Comment [P7]: Administration of the will

(4) All the parties hereto shall execute and do all such deeds and things as may be necessary or expedient for carrying out the objects of this deed.

Comment [P8]: Parties covenant to do further deeds and things necessary

IN WITNESS WHEREOF the parties hereto have signed this deed on the day and year first hereinabove written.

The Schedule above referred to

WITNESSES

Signed and delivered by the within named Shri A

Signed and delivered by the within named Smt. B