

WILL AND TESTAMENT

of

*The Late Rao Bahadur D. Lxminarayan of Kamptee
dated 3rd May, 1930.*

- 1. I, D. Laxminarayan, son of Pullaya Garoo, Telugu Brahmin, resident of Kanhan, situated in the Ramtek Tahsil of Nagpur District, Central Provinces, India, make this my last Will and Testament on this third day of May, Nineteen hundred and thirty. I hereby revoke all former Wills and Testaments hitherto made by me.*
- 2. I am possessed of both movable and immovable property as set out and described in the schedule hereto annexed. The whole of the said property is my self-acquisition, acquired with the gains and profits earned by me in my mining business during the last twenty-five years and upwards. I am the sole and absolute owner thereof, None of my relatives have any claim or interest therein.*
- 3. I have no issue at present. All my children are dead. My Wife Shrimati Bahinabai is alive.*
- 4. I hereby appoint as my executors the Deputy Commissioner of Nagpur and Government Advocate. I direct them to spend Rs. 2,000/- on my funeral and obsequial rites according to the usage of my caste and the Hindu Shastras. They shall also pay my debts and liabilities if any as soon as they conveniently do so. I direct them further to take out Probate of my Will and defray all charges and expenses incidental to the probate proceedings.*
- 5. I hereby give and bequeath the following sums of money to the institutions named below :- A. One lakh of repees to the Servants of India Society at Poona to maintain a permanent branch at Nagpur. The said Society shall invest the sum of Rupees one lakh in any of the recognized Banks of Bombay or Calcutta, and utilize the interest alone derived therefrom for the maintenance of a permanent branch at Nagpur with at least members working and the corpus shall absolutely remain untouched. I am contemplating to pay this sum during my life-time. If I do not pay it during my life-time, my executors shall pay the sum to the said Servants of India Society on the amount during my life-*

time, my executors need not pay to the said Society the said sum of Rupees one lakh.

Should the Society be not in existence at the time of my death, the amount bequeathed to the said Servants of India Society shall be applied towards the objects mentioned in para. 11 of this Will.

6. I give and bequeath the following sums of money to the following person

- (a) Twenty-five thousand rupees to Kumari Kusumbai, daughter of Mr. K. V. Andhare, Pleader of Kamptee. This sum shall be her sole and absolute property. Her father Mr. K. V. Andhare shall have no right to utilize it for any other purposes.
- (b) Twenty-five thousand rupees to Kumari Kumudbai, daughter of Mr. S. R. Pandit, Barrister-at-Law, Nagpur.
- (c) Twenty-five thousand rupees to Mr. C. Hanumant Rao of Secunderabad, who is my intimate and sincere friend, and who rendered me yeoman services in the management of my house property at Secunderabad (Deccan).
- (d) Twenty-five thousand rupees to my friend, Mr. Vinayakrao Rangopant Saptarishi, Pleader, First Dal Oli Street, Kamptee City.

Should any of the persons above mentioned be not in existence at the time of my death the amount bequeathed to him or her shall be applied towards the purpose mentioned in para. 11 of this Will.

7. I direct that a sum of rupees 14,000/- be invested in Government Securities and the interest accruing thereon be paid to Smt. Radhabai, widow of my youngest brother, Gopalakrishna, residing at Karve in the Karad Taluka, District Satara, during her life-time, and on her death the amount to the purposes mentioned in Para. 11 of this Will.

8. I give, devise and bequeath to my wife, Shrimati Bahinabai as absolute owner of all my house-hold furniture, wearing apparel, books, plates, pictures, cattle, Motar-cars, and all sums of money which may be found in my residential house at the time of my death.

I further bequeath to my wife, Shrimati Bahinabai, the benefit of the Life Insurance Policy No. 170925 for Rs. 50,000/- effected on my life in the Oriental Life Insurance Company, Nagpur Branch.

I further direct that a sum of two lakhs of rupees be invested in Government Securities and the interest accruing thereon be paid to my wife for her absolute use and enjoyment. On her death the sum so invested in Government Securities be applied and utilized towards the objects specified in Para. 11 of this Will.

Should my wife predecease me, the foregoing bequests of her should be applied and utilized for the objects specified in Para. 11 of this Will.

I further direct that if my wife desires to reside in any of the houses mentioned in the schedule hereto annexed, she should be allowed to do so.

I further direct that a sufficient sum should be set apart for the repairs and maintenance of the house in which my wife reside.

I further direct that if my wife does not wish to reside in any of the houses mentioned in Schedule hereto annexed, my executors shall purchase a house for her residence in such cities, localities, or towns as she may choose.

9. *I have no issue, male or female, at present. All my children are dead. If, by God's blessing, I get a son hereafter and he is alive at my death, a sum of two lakhs of rupees should be set apart and invested in Government Securities and the interest accruing thereon should be applied towards the maintenance and education during his minority. The said securities shall be made over to him on his attaining majority.*

During the minority of my son, my wife shall be the guardian of his person and the Court should appoint a guardian of his property either singly or jointly with my wife. If my wife is not alive at my death, the Court should appoint a guardian of his person and property during the minority of my son.

In case my son dies during his minority the property bequeathed to him should be applied and utilized towards the objects mentioned in Para. 11 of this Will.

10. *If a daughter be born hereafter, I bequeath to her a sum of one lakh of rupees to be invested in Government Securities and the interest accruing thereon to be applied (1) towards her maintenance and education suitable to her position in life and (2) towards the expenses of her marriage. The expenses of her marriage be met with from the corpus of one lakh of rupees the balance of the fund so bequeathed to make over to her on her attaining majority. The provisions hereinbefore made in Para. 9 with respect to the guardianship of the person and property of the minor son shall apply mutatis matandis to the guardianship of the minor daughter.*

Should more than one daughter be born, a similar provision should be made for each daughter as provided in Para. 10 of this Will, subject to the same conditions.

11. *I give and bequeath the residue of my whole estate, both movable and immovable property consisting of Cash, Government Securities,*

outstanding debts due to me, fixed deposits in Banks and Firms, houses in Kamptee, Bungalows in both Nagpur and Secunderabad (Deccan) and a Bungalows at Kanhan together with offices, out-houses, stables, garages, servants' quarters, garden, together with an area of 11.94 acres of land and malik makbuza fields, and absolute occupancy field in mouza Waregaon in the Tahsil and District of Nagpur to the Nagpur University, earmarked for the teaching of Applied Science and Chemistry to the Hindu Students domiciled for not less than six years in the Central Provinces and Berar. I direct that my executors shall keenly watch and see that the Nagpur University authorities shall faithfully and honestly apply and utilized the amount so bequeathed for the purpose specially mentioned by me in this para, and it is spent for no other purposes. It is the holy and sacred duty both of my executors and the Nagpur University Authorities to scrupulously carry out my desire specified in this paragraph.

For the purpose of carrying out the provisions of the various clauses of this Will, I authorize my executors to convert my immovable property into Cash.

In witness whereof, I the said D. Laxminarayan, have set my hand to this last Will and Testament, this 3rd day of May, One thousand nine hundred and thirty. The whole of this Will is written in my own handwriting.

(Sd.) D. LAXMINARYAN,
3-5-1930.

Signed and acknowledged by the Testator D. Laxminarayan as his last Will and Testament in the presence of us all present at the same time, who in his presence and at his request and in the presence of each other have subscribed our names as-

Witnesses:-

(Sd.) V. M. Kelkar, 3-5-1930.

(Sd.) R. S. Thakur,
Retd. Dy. Commr., 3-5-1930

(Sd.) A. R. Bambawale,
Retired Deputy Superintendent of Police, Nagpur, 3-5-1930.