



W I L L J I N I

# TYPES OF WILL

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- Simple Will
- Comprehensive Will
- Conditional or Contingent Will
- Joint Will
- Mutual Will
- Mirror Will
- Duplicate Will
- Concurrent Will
- Sham Will
- Holograph Will
- Privileged & Unprivileged Will

# SIMPLE WILL

As the name defines, Simple Will is a Will in which the person bequeaths all of his/her immovable and movable properties in a simple manner without disclosing the details of the properties. Such a Will is made generally in one or two pages and with or without executor.

# SIMPLE WILL (EXAMPLE)

A Simple Will reads as follows:

- I own many properties including immovable and movable, details of which are known to my family.
- I hereby bequeath 50% of my properties to my spouse and 50% to be equally divided among my children.

# SIMPLE WILL (DISADVANTAGES)

- May create misunderstanding among family.
- May create confusion regarding properties as details are not mentioned.
- Lacks clarity.
- No information regarding future assets.
- No details about loans and liabilities.
- No executor or alternate executor

# COMPREHENSIVE WILL

As name defines, it is more comprehensive in nature. This type of Will contains each and every small details of immovable as well as movable properties. It also contains details of loans and liabilities as well as the funeral expenses etc. It is a very detailed type of a Will which may require expertise of a professional.

# COMPREHENSIVE WILL COVERS MORE DETAILS LIKE-

- Complete details of immovable properties like flat no., area, complete address etc
- Complete details of movable properties like policy number, amount of policy, bank account number, branch name, grams of jewelry etc.
- Name of executor as well as alternate executor.
- Guardian for minor kids.
- Details of loans & liabilities
- Funeral expenses
- Donations/ charity wishes etc.

# CONDITIONAL OR CONTINGENT WILL

A Will expressed to take effect in the happening or not happening of some event is called a Contingent Will. A Conditional Will is based on certain conditions and if these conditions fail, then the Will is not legally enforceable. Such Wills to be valid should have valid and expectable conditions and not contrary to Law or immoral.



# JOINT WILL

Joint Will is made by two or more persons who agree to bequeath their individual assets to the person of their choice. It takes effect only after the demise of both or all persons making Will. Generally a Joint Will is made by husband and wife where they bequeath their properties to each other during their lifetime and to some third person after the demise of both.

# MUTUAL WILL

A Will is mutual when two testators confer upon each other reciprocal benefits constituting the other his legatee. In the event the legatees are distinct from the testators, the Will is not mutual.

# MIRROR WILL

As the name suggests, mirror wills are two separate wills that are drafted exactly like each other, with just the name of the person who is making the will being different on both documents. This type of Will is advisable when couples own assets in joint names.

# DUPLICATE WILL

When a person makes a Will in duplicate, for the sake of safety, one to be kept by him and the other to be deposited in the safe custody with a bank or executor or trustee it is referred to as a Duplicate Will. Each copy needs to be signed and attested to be valid. If the person destroys or damages the Will that is with him, it is considered revocation of both Wills.

# CONCURRENT WILL

When a person owns properties in more than one country, it is advisable for him to make Concurrent Wills. In this case, one will is made for assets in India and other Will is made for assets in other country. This way both Wills are made as per the laws of that country. Both Wills are concurrent to each other as well as independent.

# SHAM WILL

Since the intention of the person making the Will is regarded as one of the essential condition of a valid Will, if a document is deliberately executed with all due formalities purporting to be a Will, but if it can be shown that the instrument was executed for some collateral object without any intention of the person to make it operative, the Will is regarded as a sham Will. It is considered invalid.

# HOLOGRAPH WILL

Wills which are hand written entirely by the person making Will are considered as Holograph Will. It is usually in case of military persons who are on war or outside posting where computers or modern amenities are not available are usually permitted to make hand written wills which are considered as privileged wills.

# UNDER INDIAN SUCCESSION ACT...

## Privileged Will

- Wills made by any soldier, air man or navy man who is willing to dispose off her/his assets during her/his employment are called Privileged Wills.

## Unprivileged Will

- All Wills except privileged wills are called Unprivileged Wills.



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