

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 12th April, 2024.

CALLED FOR COMPLIANCE:

30. TP/66/2024

(ECHCBM02204542023)

WITH

WILL/23/2024

) Ms. Jyoti Badgujar i/b Mr. Lakdawala & Co., Ld.

) Advocate the petitioner.

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P. C. : 1. Perused Petition which is filed online. Heard Ld. Advocate for Petitioner. This Petition is for Probate of Last Will and Testament of the deceased filed by Petitioner Dinshaw Darabshaw Siganporia, being one of the Executors named under the Will of the deceased. Deceased Paul Kaikhashroo Cooper alias Paul K. Cooper, said to have died at Mumbai on 28.02.2015. Copy of death certificate is annexed to the Petition. Identification proof of the deceased i.e. copy of Pan Card is annexed to the Petition.

2. Ms. Jyoti Badgujar, Advocate for Petitioner submits that deceased left behind him last Will and Testament which was duly executed at Mumbai on 27.04.2006. The said Will is in English language.

3. Ms. Jyoti Badgujar, Advocate for Petitioner submits that deceased was governed under the Indian Succession Act 1925. It is submitted that The said Deceased had no daughter he died leaving behind Widow and only son. The Widow of deceased Mrs. Mehroo Paul Cooper died on: 22-08-2016. Exhibit 'C' to the petition is a Photocopy of the death certificate she since deceased the Deceased. The parents of the Deceased pre-deceased the Deceased. The

) said Deceased left no other heirs. Save and
) except as mentioned in para – 8, there are
) no other legal heirs and next of kin left by
) the deceased. The Ld. Advocate for the
) petitioner submitted that the delay, in filing
) the present Petition is on account of the fact
) that Petitioner was Ignorant and unaware of
) obtaining any legal representation recently
) he has been advised to obtain the same
) hence delay in filing the petition be
) condoned in interest of justice. Thus the
) delay is explained.
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) 4. Petitioner's Oath is filed. The another
) Executor Hoshedar Edulji Antia has filed
) Affidavit dated 30th September, 2023
) reserving his rights as Executor. Consent
) Affidavit of son of the deceased as
) mentioned in para – 8 is on record. Affidavit
) of Mr. Jimmy Baji Buhariwala, one of the
) attesting witness to the Will is also filed.
) Affidavit of service of General Citation is
) filed. All the other Affidavits are also filed
) online. All other legal formalities are
) complied with. Hence, Petition is granted.
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) 5. Office to issue Probate as prayed after
) verifying whether any Cross Petition or
) Caveat is filed.
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12.04.2024

Addl. Registrar (O.S.) /
Addl. Prothonotary and Senior Master