

ary

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 26th February, 2024.

CALLED FOR COMPLIANCE:

41. TP/214/2024

[Original]

(ECHCBM02209112023

) **Mr. S. U. Lakdawala, Advocate for 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 Nihar Pradip Mehta, being one of the Executors named under the Will of the deceased. Deceased Shilpa Pradip Mehta, said to have died at Mumbai on 16.07.2023. 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. Mr. Lakdawala, Advocate for the Petitioner submits that deceased left behind her last Will and Testament which was duly executed at Mumbai on 04.12.2012. The said Will is in English language.

3. Mr. Lakdawala, Advocate for the Petitioner submits that deceased was governed under the Hindu Succession Act 1956. It is submitted that the husband of the deceased, Pradip Mehta died on 12.03.1998. Exhibit – D to the Petition is the copy of death certificate of the husband of the deceased. The deceased left one son and two daughters. Save and except as mentioned in para – 8, there are no other legal heirs left by the deceased.

) 4. Petitioner's Oath is filed. The other
) Executrix, Anisha Samir Kothari has filed her
) Affidavit dated 03.10.2023 reserving her
) rights. Consent Affidavits of both the
) daughters of the deceased as mentioned in
) para – 8 are on record. Affidavit of Samir
) Suresh Kothari, one of the attesting witness
) to the Will is filed. Affidavit of service of
) General Citation is filed. All the 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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26.02.2024

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