

msm

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 21st August, 2024

CALLED FOR COMPLIANCE :

**24.TP/288/2024
ECHCBM02165132023
WITH
WILL/92/2024**

) **Ms. Geeta Sonawane i/b. Denzil D'Mello, Adv. for the**
) **Petitioner.**

)
)
) P. C. : 1. Perused Petition which is filed online. Heard
) Ld. Advocate for the Petitioner. This Petition is
) for Probate of Last joint Will and Testament of the
) deceased filed by the Petitioner Carolina Marie
) D'Sa alias Carolina Maria D'Sa being the
) Executrix named under the joint Will of both the
) deceased. Deceased No.1 Matilda Maria Rebello
) alias Mathilda Maria Rebello and Deceased No.2
) Giles Wilson Rebello, said to have died at
) Mumbai on 17th August, 2022 and 5th July, 2016
) respectively. Copy of Death Certificates are
) annexed to the Petition. Copy of Aadhaar Card of
) both the deceased as ID Proof are annexed to the
) petition.
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) 2. Ms. Geeta Sonawane, Advocate for the
) Petitioner submits that deceased left behind them
) last joint Will and Testament which was duly
) executed at Mumbai on 17th December, 2010. The
) said Will is in English language.
)

) 3. Ms. Geeta Sonawane, Advocate for the
) Petitioner submits that deceased was governed
) under the Indian Succession Act, 1925. It is
) submitted that the husband of the Deceased No. 1
) viz. Giles Wilson Rebello, the Deceased No. 2
) herein, pre-deceased the deceased, having expired
) on 5th July, 2016 leaving behind his wife Matilda
) Maria Rebello alias Mathilda Maria Rebello, the
) Deceased No. 1 and heirs and next-of-kin
)

..2/-

) : 2 :
) mentioned at Serial Nos. 1 to 4 in the table
) according to the Indian Succession Act, 1925
) applicable to Christians. The parents of the
) Deceased Nos. 1 & 2, pre-deceased the Deceased.
) Save and except as mentioned in para – 10, there
) are no other legal heirs or next-of-kin left by both
) the deceased.
)
) 4. Petitioner's Oath is filed. Consent Affidavits of
) Son and two Daughters of the deceased as
) mentioned in Para-10 are on record. Affidavit of
) Dr. B. Athaide, one of the attesting witness to the
) joint Will is filed. Affidavit of service of General
) Citation is filed. All Affidavits are filed online. All
) other legal formalities are complied with. Hence,
) Petition is granted.
)
) 5. Office to issue Probate as prayed after
) verifying whether any Cross Petition or Caveat is
) filed.

21.08.2024

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