

ary

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 6th May, 2024.

CALLED FOR COMPLIANCE :

**34. TP/356/2024
(ECHCBM02194872023**

) **Ms. Juilee Ghadge, Advocate for the Petitioner.**

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) **P.C.:** 1. Perused Petition which is filed online.
) Heard Ld. Advocate for the Petitioner. This
) Petition is for Probate of Last Will and
) Testament of the deceased filed by
) the Petitioner Murad Shahrukh Hajeebhoy,
) being the Sole Executor named under the Will
) of the deceased. Deceased Sonuma Shahrukh
) Hajeebhoy, said to have died at Mumbai on
) 07.06.2022. Copy of death certificate is
) annexed to the Petition. For identification
) proof of the deceased, copy of Aadhaar Card
) is annexed to the Petition.
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2. Ms. Ghadge, Advocate for the Petitioner submits that deceased submits that there is not date on the Will, however, one of the attesting witnesses has stated in his Affidavit that the said Will was duly executed by the Deceased on 21 st May 2022 at Mumbai. The said Will is in English language.

3. Ms. Ghadge, Advocate for the Petitioner submits that deceased was governed under the to Hindu Succession Act, 1956, which is applicable to Shia Khoja Ishna Ashari Muslim as per the Judgement of this Hon'ble Court in the case of Fidahusein Pirmahomedalli vs. Bai Monghibai on 11.10.1935 (para - 16). It is submitted that the Husband of the Deceased viz. Shahrukh Jaffer Hajeebhoy, since-deceased to the Deceased, died on 4th March,

