

CALLED FOR COMPLIANCE :

(ECHCBM02161662023))

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 Sheriar Nariman Irani, being the sole Executor named under the Will of the deceased. Deceased Rustom Nariman Irani, said to have died at Mumbai on 14.05.2018. Copy of death certificate is annexed to the Petition. For identification proof of the deceased, copy of Aadhaar Card is annexed to the Petition.

2. Mr. Parth Shah, Advocate for the Petitioner submits that deceased left behind him last Will and Testament which was duly executed at Mumbai on 29.01.2018. The said Will is in English language.

3. Mr. Parth Shah, Advocate for the Petitioner submits that deceased was governed under the Indian Succession Act 1925 applicable to Parsis. It is submitted that the parents of the deceased predeceased the deceased. The deceased had no other son or daughter. Save and except as mentioned in para – 9, there are no other legal heirs left by the deceased. The Ld. Advocate for the Petitioner submits that the delay in making present Petition is on account

) of the fact that Petitioner was ignorant and
) unaware of obtaining any legal representation.
) Now Petitioner has been orally advised to
) obtain a legal representation. Hence, this
) Hon'ble Court in the interest of justice may
) condone the delay in filing present Petition.
) Thus, the delay is explained.
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) 4. Petitioner's Oath is filed. Consent Affidavit
) of brother of the deceased as mentioned in
) para – 9 is on record. Affidavits of Behram
) Minoo Wadia and Kayomars Faramarz
) Doomasia, both the attesting witnesses to the
) Will are 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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07.08.2024

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