

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 22nd October, 2024

CALLED FOR DIRECTION:

11. TP/519/2024
[Original]
(ECHCBM02093292023)
with
WILL/238/2024

) Mr. Smeet Savla, Adv. 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 Anilbhai alias Anil Laxmichand
Shah, being one of the Executors named
under the Will of the deceased. Deceased
Jadavji Vijpal Savla, said to have died at
Mumbai on 26.08.2022. Copy of Death
Certificate is annexed to the Petition. Copy
of Aadhaar Card of the deceased as ID
Proof is annexed to the petition.

2. Mr. Savla, Advocate for the Petitioner
submits that deceased left behind her last
Will and Testament which was duly
executed at Mumbai on 17.09.2013. The
said Will is in English language.

3. Mr. Savla, Advocate for the Petitioner
submits that deceased was governed under
the Hindu Succession Act, 1956. It is
submitted that the Parents of the deceased
predeceased the deceased. Save and except
as mentioned in para -9, there are no other
legal heirs and next of kin left by the
deceased.

4. Petitioner's Oath is filed. The Other

) Executor Nitin Shamji Shah has filed his
) affidavit dated 28.08.2023 renouncing his
) rights as Executor. Consent Affidavits of
) widow, one son and one daughter of the
) deceased as mentioned in para 9 are on
) record. There is Affidavit of service dated
) 09.08.2024 filed by Sheriff office showing
) the service of citation upon the non
) consenting legal heir i.e. son at Sr. No. 2
) Para 9 of the Petition. Affidavits of Manilal
) Vasanji Salia and Navin Bhawanji Savla,
) both of the attesting witnesses to the Will
) are 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.
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22.10.2024

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