

ary

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 20th August 2024.

CALLED FOR COMPLIANCE:

27. TP/635/2024

[Original]

(ECHCBM02189712023)

with

WILL/266/2024

) **Mr. Sandeep Kocharekar, 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 Joseph Loy Rego, being the Sole Executor named under the Will of the deceased. Deceased Rusi Kaikhushru Subedar, said to have died at Mumbai on 04.04.2023. Copy of death certificate is annexed to the Petition. For identification proof of the deceased, copy of Aadhar Card is annexed to the Petition.

2. Mr. Kocharekar, Advocate for the Petitioner submits that deceased left behind him, last Will and Testament which was duly executed at Mumbai, on 05.08.2021. The said Will is in English language.

3. Mr. Kocharekar, 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 pre-deceased the deceased. At the time of death of the deceased he was unmarried. Save and except as mentioned in para – 9, there are no other legal heirs left by the deceased.

4. Petitioner's Oath is filed. Consent Affidavit of brother of the deceased as mentioned in

) para – 9 is record. Affidavits of Pearl Darayas
) Mistry and Darayas Dhanjishaw Mistry, 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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20.08.2024

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