

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 31st July, 2024

CALLED FOR DIRECTION:

18. TP/1095/2024
[Original]
(ECHCBM02187052023)
with
WILL/374/2024

) Mr. Pritesh A. Parmar, Adv. A/w. Kaivalya M. Raul i/b. Neel
) Anil Gala for Petitioners.
)
)

) P. C. : 1. Perused Petition which is filed online.
) Heard Ld. Advocate for Petitioners. This
) Petition is for Probate of Last Will and
) Testament of the deceased filed by
) Petitioners Mithul Shailesh Mehta alias
) Mitul Shailesh Mehta and Shailesh
) Madhavlal Bhutka, being the Executors
) named under the Will of the deceased.
) Deceased Bhavna Kishor Kanakia alias
) Bhavana Kishor Kanakia, said to have died
) at Mumbai on 18.06.2023. Copy of Death
) Certificate is annexed to the Petition. Copy
) of Aadhaar Card of the deceased as ID
) Proof is annexed to the petition.
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) 2. Mr. Parmar, Advocate for Petitioners
) submits that deceased left behind her last
) Will and Testament which was duly
) executed at Mumbai on 12.06.2023. The
) said Will is in English language.
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) 3. Mr. Parmar, Advocate for Petitioners
) submits that deceased was governed under
) the Hindu Succession Act, 1956. It is
) submitted that the Parents of the deceased
) predeceased the deceased. said Deceased
) died on 18/06/2023. The Husband of the
) Deceased, Kishor Lallubhai Kanakia, died on
)

) 06/02/2022. The mother of the Deceased,
) Smt. Taramati Ramniklal Mehta
) predeceased the deceased. The Father of the
) Deceased Shri Ramniklal Karsandas Mehta
) predeceased the deceased. The married
) daughter Payal Krunal Mehta has
) predeceased the deceased on 23rd day after
) her marriage without leaving being legal
) heir i.e. any son or daughter. The married
) daughter's husband has remarried again.
) Save and except as mentioned in para -9 &
) 10, there are no other legal heirs and next
) of kin left by the deceased.
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) 4. Petitioners Oath are filed. Consent
) Affidavit of son of the deceased as
) mentioned in para 9 is on record. Affidavits
) of Mithul Shailesh Mehta alias Mitul
) Shailesh Mehta and Shailesh Madhavlal
) Bhutka, both 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.
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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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31.07.2024

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