

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 26th July, 2024

CALLED FOR DIRECTION:

59. TP/1417/2024
[Original]
(ECHCBM02238362023)
with
WILL/528/2024

) Ms. Drasti Jani, Adv. 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 Zarina Fali Damania and Bomi
Shavak Billimoria being the Executors
named under the Will of the deceased.
Deceased Khorshed Gustadji Billimoria said
to have died at Mumbai on 11.05.2023.
Copy of Death Certificate is annexed to the
Petition. Copy of Aadhaar Card of the
deceased as ID Proof is annexed to the
petition.

2. Ms. Jani, Advocate for Petitioners
submits that deceased left behind her last
Will and Testament which was duly
executed at Mumbai on 05.07.2022. The
said Will is in English language.

3. Ms. Jani, Advocate for Petitioners
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.
Deceased had no issues. Deceased was a
spinster/unmarried and stayed with her
niece Ms. Mani Shavak Billimoria, who died
on 2nd September 2023. Save and except as

) mentioned in para -9, there are no other
) legal heirs and next of kin left by the
) deceased.
)

)
)
) 4. Petitioners' Oath are filed. Affidavits of
) Dr. Behram Bunshah and Reshma Bano,
) 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.

) 5. Office to issue Probate as prayed
) after verifying whether any Cross Petition or
) Caveat is filed.
)

)
)
)
)

26.07.2024

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