

ary

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 23rd July 2024.

CALLED FOR COMPLIANCE :

47. TP/1427/2024

[Original]

(ECHCBM02214002023)

) **Mr. Yash Kataria i/b S. Mahomedbhai & Co.,**
) **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 Zarine Danyl D'Monte, being one of the Executrix named under the Will of the deceased. Deceased Roshan Sohrab Jassawalla, said to have died at Mumbai on 30.11.2021. 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. Kataria, Advocate for the Petitioner submits that deceased left behind her last Will and Testament which was duly executed at Mumbai on 05.01.1999. The said Will is in English language.

3. Mr. Kataria, 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 have pre-deceased the deceased. The husband of the deceased Late Sohrab Jassawalla has pre-deceased the deceased and expired on 06.09.1982 and Exhibit "F" to the Petition is the copy of his death Certificate. The deceased has no other son and daughter. Save and except as mentioned in para – 9

) there are no other legal heirs or next of kin left
) by the deceased.
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) 4. Petitioner's Oath is filed. The other
) Executrix, Meher Zarir Nagarwalla has filed his
) Affidavit dated 19.10.2023 renouncing her
) rights as Executor. Consent Affidavit of son of
) the deceased as mentioned in para – 9 is on
) record. Affidavit of Khurshed Meherwanji
) Thanawalla, one of the attesting witness to the
) Will is 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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23.07.2024

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