

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 28th August, 2024

CALLED FOR DIRECTION:

20.TP/1557/2024
[Original]
(ECHCBM02033042024)
with
CHOL/262/2024
(ECHCBM02105102024)
with
WILL/591/2024

) Ms. Shaanayaa Kapoor, Adv. i/b. Mulla & Mulla & CBC for
) the Petitioner.
)

) 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 Hanoz Phiroze Patel being one of
) the Executors named under the Will of the
) deceased. Deceased Arni Pirojshaw
) Daruwalla, said to have died at Mumbai on
) 24.07.2023. Copy of Death Certificate is
) annexed to the Petition. Copy of Pan Card
) of the deceased as ID Proof is annexed to
) the petition.
)

) 2. Ms. Kapoor , Advocate for the Petitioner
) submits that deceased left behind her last
) Will and Testament which was duly
) executed at Mumbai on 31.10.2014. The
) said Will is in English language.
)

) 3. Ms. Kapoor, 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 predeceased the deceased. the
) said deceased died as Spinster. That the
)

) parents of the deceased have pre-deceased
) to the deceased. The deceased had one
) brother Jeejibhoy Pirojshaw Daruwalla and
) one sister Mani Pirojshaw Daruwalla, That
) Jeejibhoy Pirojshaw Daruwalla, the brother
) of the died as bachelor on 8th December
) 2002. Exhibit "F" to the petition is a copy of
) the death Certificate of Jeejibhoy Pirojshaw
) Daruwalla, the Brother of the deceased.
) That Mani Pirojshaw Daruwalla, the Sister
) of the deceased died as Spinster on
) 10.05.2023. A copy of the death certificate
) of Mani Pirojshaw Daruwalla, the Sister of
) the deceased is annexed to the Petition as
) Exhibit C hereinabove. The deceased had no
) other sister and no other brother. That the
) names and whereabouts of the Legal heirs of
) the deceased from her paternal side and
) maternal side as provided under the
) provisions of Indian Succession Act, 1925,
) is not known to the Petitioner.
)

) 4. Petitioner's Oath is filed. The other
) executrix Soona Minoo Shroff has filed her
) affidavit dated 05.01.2024 renouncing her
) rights as executrix. The other executrix Mani
) Piroj shaw Daruwalla, expired and Exh. C to
) the petition is a copy of her death
) certificate. Affidavit of of of Agnel Anthony
) Cameiro, one of the attesting witness to the
) Will is 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.

28.08.2024

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