

ary

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 27th August 2024.

CALLED FOR COMPLIANCE :

43. TP/2575/2024
[Original]
(ECHCBM02069972024)
with
WILL/1041/2024

) **Mr. S. U. Lakdawala, Advocate for the Petitioner.**

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P.C.: 1. Perused Petition. Heard Ld. Advocate for the Petitioner. This Petition is for Probate of Last Will and Testament of the deceased filed by the Petitioner Chetan Ramniklal Shah, being one of the Executor named under the Will of the deceased. Deceased Jayalaxmi Gopalji Ganatra alias Jayalaxmi Ganatra widow of Gopalji Virji Ganatra alias Jayalaxmi G. Ganatra, said to have died at Mumbai on 23.03.2023. Copy of death certificate is annexed to the Petition. For identification proof of the deceased, copy of Aadhaar Card is annexed to the Petition.

2. Mr. Lakdawala, Advocate for the Petitioner submits that deceased left behind her last Will and Testament which was duly executed and registered at Mumbai, on 14.02.2023 and 20.02.2023 respectively. The said Will is in Gujarati language and official English translation of the said Will is filed.

3. Mr. Lakdawala, Advocate for the Petitioner submits that deceased was governed under the Hindu Succession Act 1956. It is submitted that the Deceased Mr. Gopalji Virji Ganatra died on 25-08-1986. Exhibit 'F' is a photocopy of the death certificate of the husband of the Deceased. The said Deceased Husband had one Son viz. Mr. Jaisinh Gopalji Ganatra alias

) Jayshih Ganatra died as bachelor on
) 15.11.2023. Exhibit 'G' is a photocopy of the
) Death certificate of Mr. Jaisinh Gopalji
) Ganatra. The said Deceased Husband had one
) daughter viz. Ms. Anjali Gopalji Ganatra died
) as spinster on 20.03.2022. Exhibit 'H' is a
) photocopy of the Death certificate of Ms.
) Anjali Gopalji Ganatra, all pre-deceased the
) Deceased. The parents of the Deceased and
) Parents of Husband of Deceased pre-deceased
) the Deceased. The said Deceased Husband had
) no brother and he had only one Sister Mrs.
) Smita Shivaji Thakkar who too has expired on
) 14.08.2019. Exhibit 'I' is a photocopy of the
) Death certificate of Mrs. Smita Shivaji
) Thakkar, she too pre-deceased the Deceased,
) Mrs. Smita Shivaji Thakkar had no Son and
) had only one daughter. The said Deceased left
) no other heirs. Save and except as mentioned
) in para – 8, there are no other legal heirs and
) next of kin left by the deceased.
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) 4. Petitioner's Oath is filed. The other
) Executor, Raja Babulal Majethia has filed his
) Affidavit dated 15.03.2024 reserving his right
) as Executor. Consent Affidavit of niece of the
) deceased as mentioned in para – 8 is on
) record. Affidavit of Bhavesh Kumar Thacker,
) one of the attesting witnesses 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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27.08.2024

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