

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 4th September, 2024

CALLED FOR DIRECTION:

48. TP/2698/2024
[Original]
(ECHCBM02083832024)
with
WILL/1097/2024

) Mr. Jyoti Badgujar, Adv. i/b. S. U. Lakdawala 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 Roiter Rodrigues son of Harry
) Rodrigues being one of the Executors
) named under the Will of the deceased.
) Deceased Deceased Hany Rodrigues son of
) Lawrence Rodrigues alias Harry Rodrigues
) alias Harry Lawrence Rodrigues said to have
) died at Mumbai on 08.03.2024. 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. Ms. Badgujar, Advocate for the Petitioner
) submits that deceased left behind him last
) Will and Testament which was duly
) executed at Mumbai on 05.02.2024. The
) said Will is in English language.
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) 3. Ms. Badgujar, Advocate for the Petitioner
) submits that deceased was governed under
) the Indian Succession Act, 1925 applicable
) to Christians. It is submitted that the Parents
) of the deceased predeceased the deceased.
) The said Deceased had NO Daughter, he
) died leaving
)

) behind his Widow and 2 Sons. 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 Dexter Ignatius Rodrigues has filed
) his affidavit dated 11.04.2024 reserving his
) rights as executor. Consent Affidavits of
) widow and son of the deceased as
) mentioned in para 8 are on record. Affidavit
) of Ashok Narayan Joshi, 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.

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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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04.09.2024

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