

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 18th September, 2024

CALLED FOR DIRECTION:

52. TP/2759/2024
[Original]
(ECHCBM02073522024)
with
WILL/1129/2024

) Mr. D. R. Mishra, Adv. i/b. Pandya & Poonawala 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 Adil Keki Bala being the surviving
) Executor named under the Will of the
) deceased. Deceased Minoo Rustomji Bala,
) said to have died at Pune on 29.04.2018.
) 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. Mr. Mishra, Advocate for the Petitioner
) submits that deceased left behind him last
) Will and Testament which was duly
) executed at Mumbai on 28.05.2010 and
) registered on 22.06.2010. The said Will is
) in English language.
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) 3. Mr. Mishra, 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
) Deceased was married to Ms. Goolrukh Bala
) and was divorced under the Decree of
) Divorce dated 16th February, 1995 passed
) by The Parsi Chief Matrimonial Court at

) Bombay. Exh. F to the petition is a copy of
) divorce decree of the deceased. Save and
) except as mentioned in para -9, there are no
) other legal heirs and next of kin left by the
) deceased. The Ld. Adv. for the Petitioner
) submits that the delay of filing this Petition
) be condoned as the concerned authorities
) asked for Probate to transfer the
) properties in favour of beneficiaries recently.
) Thus, the delay is explained.
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) 4. Petitioner's Oath is filed. Consent
) Affidavits of son and daughter of the
) deceased as mentioned in para 9 are on
) record. Affidavit of of Kersi Boman Irani,
) 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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18.09.2024

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