

ary

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 15th October, 2024.

CALLED FOR COMPLIANCE :

28. TP/3124/2024
[Original]
(ECHCBM02102622024)
with
WILL/1242/2024

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

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PC.: 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 Giselle Maria Ann Fenao, being one of the Executors named under the Will of the deceased. Deceased Mary Antoinette Kleona Miranda alias Mary K. Miranda alias Mary Miranda, said to have died at Thane on 02.02.2024. 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. Lakdawala, Advocate for the Petitioner submits that deceased left behind her last Will and Testament which was duly executed at Mumbai on 17.10.2020. The said Will is in English language.

3. Mr. Lakdawala, Advocate for the Petitioner submits that deceased was governed under the Indian Succession Act 1925 applicable to Christian. It is submitted that the said Deceased died leaving behind two Sons and two Daughters. The husband of the Deceased, Mr. Percy Martin Joseph Miranda died on 16.12.2010 and he pre-deceased the Deceased. Exhibit 'D' is a Photo copy of his death certificate. Save and except as mentioned in

) para – 8, there are no other legal heirs left by
) the deceased.
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) 4. Petitioner's Oath are filed. The remaining
) Executrix/Executor, (i) Ms. Roselle Dominica
) Maria Miranda and (ii) Mr. Hansel Savio
) Miranda have filed joint Affidavit dated
) 08.05.2024 reserving their rights as
) Executors. Consent Affidavits of Giselle Maria
) Ann Fenao, being the duly C.A. of Mitchell
) Savio Joseph Miranda, Hansel Savio Miranda
) and daughter, Roselle Dominica Maria
) Miranda of the deceased as mentioned in
) para – 8 are on record. Affidavit of Sophia
) Almeida, 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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15.10.2024

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