

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 24th October, 2024

CALLED FOR DIRECTION:

36. TP/3393/2024
[Original]
(ECHCBM02062692024)
with
WILL/1368/2024

) Mr. Md. Mahmood Ali, Adv. i/b. Waquar Ahmad 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 Parveen Godrej Siganporia being
) one of the Executrix named under the Will
) of the deceased. Deceased Shri Dadi Ratanji
) Malaowala, said to have died at Mumbai on
) 22.06.2018. Copy of Death Certificate is
) annexed to the Petition. Copy of Pan Card
) of the deceased as ID Proof is annexed to
) the petition.
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) 2. Mr. Ali, Advocate for the Petitioner
) submits that deceased left behind him last
) Will and Testament which was duly
) executed at Mumbai on 14.04.2012. The
) said Will is in English language.
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) 3. Mr. Ali, Advocate for the Petitioner
) submits that deceased was governed under
) the Indian Succession Act, 1925 applicable
) to Parsis. It is submitted that the father of
) the deceased predeceased the deceased. The
) deceased has no son. 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 Petitioner states that the

) deceased died on 22nd June, 2018 and after
) some time Covid-19 pandemic was declared.
) Due to pandemic Covid- 19, the Petitioner
) could not file the present Petition in time.
) Hence, there is a delay in filing present
) Petition for Probate of the deceased. The
) Petitioner submits that the reason
) mentioned herein above may be accepted
) and the delay in filing present Petition may
) be condoned Thus, the delay is explained.
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) 4. Petitioner's Oath is filed. The Other
) Executrix Arnaaz Bommie Wadia filed her
) affidavit dated 21.03.2023 reserving her
) rights as executrix. Consent Affidavits of
) widow and married daughter of the
) deceased as mentioned in Para 9 are on
) record. Affidavit of Bommie Kersasp Wadia,
) 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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24.10.2024

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