

ary

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 10th October, 2024.

CALLED FOR COMPLIANCE :

23. TP/3654/2024
[Original]
(ECHCBM02124692024)
with
WILL/1428/2024

) **Ms. Bharti Thaker, Advocate 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 Hoshang Firoze Dordi alias Hoshang Phiroze Dordi, being one of the Executors named under the Will of the deceased. Deceased Banoo Phiroze Dordi, said to have died at Toronto, on 09.12.2023. 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. Ms. Thaker, Advocate for the Petitioner submits that deceased left behind her last Will and Testament which was duly executed at Toronto on 13.07.2023. The said Will is in English language.
3. Ms. Thaker, Advocate for the Petitioner submits that deceased was governed under the Indian Succession Act 1925 applicable to Parsis. It is submitted that the husband of the deceased pre-deceased the deceased and Exhibit – D to the Petition is the copy of his death certificate. Save and except as mentioned in para – 9, there are no other legal heirs left by the deceased.

4. Petitioner's Oath is filed. The other Executrix, Jasmine Bomi Tamboli, has renounced her right by filing Affidavit dated 28.05.2024. The Ld. Advocate for the Petitioner to correct prayer clause by mentioning the renouncing right of other Executrix within three days from the date of uploading of the order. Consent Affidavits of married daughter and son of the deceased as mentioned in para – 9 are on record. Affidavit of Ghazal Rashmin Mehta, 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.

5. Office to issue Probate as prayed after verifying whether any Cross Petition or Caveat is filed.

10.10.2024

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