

Before: Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date: 19th September, 2025

FOR COMPLIANCE:

85. TP/2696/2024 P. C. : Shri. Farhad Vakil i/b Mulla and Mulla and Caigie
 [Original]
 (ECHCBM020345020
 23)
 with
 WILL/1096/2024

1) This petition is filed by petitioner, being representatives of the beneficiaries under the Will executed by Maneck Faramroze Doctor alias Maneck Framroze Doctor (herein after the same is referred to as "Testator"), for grant of a Letters of Administration with Will annexed. Said Testator said to have died at Mumbai on 15/10/2008. Petitioners, namely (1) Dr. Mahrukh Godrej Doctor and (2) Farida Godrej Doctor-Widera, filed the copy of death certificates, identity proof of the testator, Will and petitioner's oath, copy of the Probate issued in TP No. 345/2024.

2) Perused petition. Heard Ld. Advocate for petitioner. Perused documents.

3) The petitioner has explained the delay vide Rule 382 of the Bombay High Court (Original Side) Rule, 1980(for short "Rules").

4) The executors, namely (1) Godrej Faramroze Doctor and (2) Bapsy R. Lazarus, are reported to have been died on 11.05.2015 and 24.01.2021, respectively and their death certificates have been filed on the record at Exh. 'D' and 'E'. The petitioners are the Representative of the legatees under the Will as well as they are having right to reside in the subject property under the Will. Hence, petition is tenable.

5) Petitioner stated that the deceased left behind his last Will and Testament which was duly executed at Mumbai on 12.06.2001, in English language. The Will is handed in separately for being filed and kept in a safe place in the Office of the Prothonotary and Senior

Master, High Court, Bombay.

6) Ld. Advocate for petitioner submits that testator is survived by legal heirs, whose details are given in the petition's paragraph No. 08 as per the provisions of Sec. 54 of the Indian Succession Act, 1925, such as Widow and descendants of Godrej Doctor(P1 and P2). The petitioner affirmed that there are no other legal heirs of the deceased, except mentioned in the petition. Legal heir of the testator has consented to the petition and thereby waived the service of Citation.

7) Citation was issued, which has been duly affixed on the conspicuous part of the Hon'ble High Court and notice board of the Collector's Office at Mumbai and 14 days have been expired vide Rule 397(1) and (4) of the Bombay High Court (O.S.) Rules, 1980(for short "BHC Rules") and an affidavit to that effect has been filed. Notice to collector has been issued vide Rule 396 of BHC Rules. Till today, no one appeared to resist the claim of the petitioner or nothing is brought to the notice regarding pending litigation pertaining to the same properties. Hence, the petition is treated as uncontested one.

8) The petitioner has filed the affidavit of BURJOR H. ANTIA, one of attesting Witnesses to the Will, in form No.102 of Bombay High Court (Original Side) Rules, 1980. He deposed that deceased signed the Testament in his presence. Hence, enough evidence is on record to accept the execution of the Will and petitioner is succeeded to prove the execution of Will. According to him all additions and alteration in a Will were existed at the time of execution before signing the Will. Hence, there is sufficient compliance of the Rule 383 of the Rules.

9) Properties mentioned in the schedule-I of the petition are referred in the Will.

10) Other legatee, namely ROSHAN MANECK DOCTOR (Wd of the deceased), has given consent to grant Letters of Administration to

petitioner.

11) Petitioner has executed the administration Bond in the prescribed format. Hence, following order:

ORDER

- 1) Petition is granted.
- 2) Office to issue Letters of Administration with Will annexed to the petitioner, as per the Rules, having effect throughout State of Maharashtra.
- 3) Before issuance of Letters of Administration with Will, the office to verify that there is no cross Petition is pending or caveat is filed. Office to act accordingly.

19th September, 2025

**Officer on Special Duty,
with Testamentary Department**