

**BEFORE : MRS. K. Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 29th April, 2025**

CALLED FOR HEARING :

22 TP/377/2025 (E-filing)

Mr. B. G. Saraf a/w. Suyash Kalbhor, Advocate for petitioner

- PC :** 1. Perused Petition. Heard Ld. Advocate for petitioner. This petition is for Probate of last Will and Testament alongwith Codicil of deceased filed by petitioner namely Fraeortis Burjor Patel being sole Executor named under the Will of deceased. The deceased namely Zerine Burjor Patel died at Mumbai on 17.05.2024. Copy of death certificate is annexed to the petition. Identification proof of deceased viz. copy of Aadhaar Card is annexed to the petition.
2. The deceased left behind his last Will and Testament which was duly executed on 21.05.2018 and Codicil is executed on 14.01.2022. The said Will is in English language. The Para No. 2 of the Codicil refers to the appointment of Executor. Only one Executor appointed under the Will.
3. Ld. Advocate for petitioner submits that parents, mother-in-law and father-in-law of deceased predeceased the deceased. Husband of deceased died on 06.03.2021. Deceased had no daughter and was survived by one son only who is petitioner herein. There are no other legal heirs.
4. Petitioner's oath is filed. Affidavit of Dr. B. J. Bunshah dated 03.03.2025 states that the Attesting Witness to the Will Mr. Burjor Eruchsha Patel died on 06.03.2021 and Mr. Ardeshir Kaikhushra Minocher Homji died on 11.04.2023 and therefore, petitioner has filed Affidavit of Dr. B. J. Bunshah as an Attesting Witness dated 09.04.2025 requesting to accept the same under Rule 384 of the Bombay High Court (Original Side) Rules, 1980. Para No. 1 of the said Affidavit refers to the fact that deponent was present at the time of execution of the said Will alongwith the Attesting Witness to the Will and deceased signed the Will in his presence. The said Affidavit is accepted as an Affidavit of Attesting Witness. Affidavit of Arvind Shah dated 03.03.2025 one of the Attesting Witness to the Codicil is filed. Affidavit of Service of General Citation dated 14.02.2025 is filed. All other legal formalities are complied with. Hence, petition is granted.
5. Office to issue Probate as prayed after verifying whether any cross petition is filed or whether any caveat is filed.

29.04.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**

