

**BEFORE : MRS. K. Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 6th August, 2025**

CALLED FOR HEARING :

9 TP/1337/2024 (E-filing)

Ms. Rashmi Parmar, Advocate for petitioner

PC : 1. Perused Petition. Heard Ld. Advocate for petitioner. This petition is for Probate of **certified copy of last Will and Testament** of deceased filed by petitioner namely Pranav Bhupendra Thaker being one of the Executors named under the Will of deceased. The deceased namely Vinaben Vallabhdas Thaker died at Mumbai on 09.07.2023. 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 her last Will and Testament which was duly executed at Mumbai on 03.06.1998. The said Will is in English language. The Para No. 2 of the Will refers to the appointment of Executors. Only two Executors appointed under the Will. Petitioner is one of the executors and another executor namely Kashyap Bipinbhai Thaker has renounced his rights to act as an Executor and Affidavit dated 08.07.2024 is filed to that effect.

3. Ld. Advocate for petitioner submits that parents and husband of deceased predeceased the deceased. As per para No. 11 of the petition, deceased was survived by one son, one daughter, one daughter-in-law, three grandsons, four granddaughters. Out of them one grandson son is petitioner herein and all other legal heirs have given their consents in favour of the petitioner. Consent Affidavits are on record. There are no other legal heirs.

4. Petitioner's oath is filed. Petitioner had filed Interim Application (L) No. 6072 of 2025 for acceptance of the Affidavit of Anjanaben Bhatt under Rule 384 of the Bombay High Court (Original Side) Rules, 1980. In para No. 4 of the said Application, the Applicant / petitioner had stated that one of the Attesting Witnesses namely Jyostna Udaykumar Vayeda died on 01.11.2021 and photocopy of death certificate is annexed to the said Affidavit. Petitioner made enquiries as to the whereabouts on the last known address of another witness namely Gita Savala however, none is aware about the whereabouts of the said Gita.

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Hence, petitioner has Affidavit of third person namely Anjanaben Bhatt dated 08.07.2024 who was present at the time of execution of the Will. The said Affidavit is accepted under Rule 384 of the Bombay High Court (Original Side) Rules, 1980. Affidavit of Service of General Citation dated 23.08.2024 is filed. All other legal formalities are complied with. Hence, petition is granted.

5. Office to issue **LIMITED** Probate as prayed after verifying whether any cross petition is filed or whether any caveat is filed.

06.08.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**