

**BEFORE : MRS. K. Y. AMBEKAR ,  
COMPANY REGISTRAR /  
TESTAMENTARY REGISTRAR  
Date: 17<sup>th</sup> April, 2025**

**CALLED FOR HEARING :**

8 TP/1357/2024 (E-filing)

Ms. Jyoti Badgujar i/b. Lakdwala and Co., Advocate for petitioner

- PC :** 1. Perused Petition. Heard Ld. Advocate for petitioner. This petition is for Probate of last Will and Testament of deceased filed by petitioner namely Nilesh Vasanti Gala being one of the Executors named under the Will of deceased. The deceased namely Vishanti Premji Dedhia said to have died at Mumbai on 10.05.2022. 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 at Mumbai on 05.02.2018. The said Will is in English language. The Para No. 1 of the Will refers to the appointment of Executor. Only two Executors appointed under the Will. Petitioner is one of the Executor and another Executor namely Mansukhlal Gangji Chheda has filed Affidavit dated 11.11.2022 for reserving his rights to come and apply for Probate later on.
3. Ld. Advocate for petitioner submits that mother of deceased predeceased the deceased. Wife of deceased namely Prabhavati Dedhia died on 28.03.2016. Deceased died issue-less and here are no class I legal heirs. Class II legal heirs mentioned in para No. 8 of the petition. Deceased had three brothers and two sisters. One brother and one sister of deceased are expired and their legal heirs are shown in the said para. Petitioner is one of the son of married sister of deceased and rest of all legal heirs have given their consents in favour of the petitioner. Consent Affidavits are on record. Brother of deceased namely Kantilal Dedhia served the citation and Affidavit of Service of citation dated 18.07.2023 is filed to that effect. There are no other legal heirs.
4. CTS(L) No. 16889 of 2024 was filed by Rajesh Kantilal Dedhia and it has been rejected under Rule 986 of the Bombay High Court (Original Side) Rules, 1980 as per order dated 09.01.2025.

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5. Petitioner's oath is filed. Affidavit of Vinod Hirji Gala dated 15.11.2022 one of the Attesting Witness to the Will is filed. Affidavit of Service of General Citation dated 18.07.2024 is filed. All other legal formalities are complied with. Hence, petition is granted.

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

**16.04.2025**

**COMPANY REGISTRAR /  
TESTAMENTARY REGISTRAR**