

BEFORE : MRS. KAVITA Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 16th September, 2025

CALLED FOR DIRECTION :

1 TP/1728/2024
 IN
 TS/79/2025

Ms. Damini Thaker, Advocate for petitioner

PC : 1. Perused Petition. Heard Ld. Advocate for petitioner. This TP was converted into Testamentary Suit No. 79 of 2025 in view of the caveat No. 92 of 2025. The said TS was disposed of by an order dated 31.07.2025. The Testamentary Suit is disposed of in terms of the Consent Terms annexed and marked as 'X' for identification therein. As per the said Consent Terms dated 31.07.2025 as the said Suit was disposed of. At the time of taking disposal of the Suit as per the program available in the CIS system, TP No. 1728 of 2024 was also disposed of. In order to restore the said Testamentary Petition in CIS system, recourse is taken to the category of creation of old case number thereby TPL No. 81728 of 2024 and final number is 1728 of 2024. As per the said Consent Terms, the Mehernosh Pirojshah Fitter has withdraw her caveat and has consented for issuance of Probate in favour of the petitioner.

2. This petition is for Probate of last Will and Testament of deceased filed by petitioner namely Pervin Pervez Cooper being sole Executor named under the Will of deceased. The deceased namely Sam Burjor Cooper died at Mumbai on 19.10.2018. Copy of death certificate is annexed to the petition. Identification proof of deceased viz. copy of Aadhaar Card is annexed to the petition.

3. The deceased left behind his last Will and Testament which was duly executed at Mumbai on 24.01.2013. The said Will is in English language. The Para No. 4 of the Will refers to the appointment of Executor. Only one Executor appointed under the Will who is petitioner.

4. Ld. Advocate for petitioner submits that parents of deceased predeceased the deceased. Deceased was divorcee. Deceased was survived by one married daughter who had filed Caveat No. 92 of 2025 and the said Caveat has withdrawn as per order dated 31.07.2025. The details are mentioned hereinabove. There are no other legal heirs.

-- 2 --

5. Petitioner's oath is filed. Affidavit of Fali Dosabhoy Avari and Jasmine Adil Bharucha dated 10.01.2024 and both the Attesting Witnesses to the Will are filed. Affidavit of Service of General Citation dated 10.06.2024 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.

16.09.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**