

**BEFORE : MRS. K. Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 7th May, 2025**

CALLED FOR COMPLIANCE :

19 TP/1849/2024 (E-filing)

Mr. D. M. Tailor, Advocate for petitioner

PC : 1. This petition is for Probate of last **Will and Testament alongwith Codicil** of deceased filed by petitioner namely Dr. Usha Lalitkumar Doshi being one of the Executrix named under the Will of deceased. The deceased namely Mandakini Lalikant Modi died at U.S.A on 04.05.2022. Copy of death certificate is annexed to the petition. Identification proof of deceased viz. copy of Passport is annexed to the petition.

2. The deceased left behind her last Will and Testament alongwith Codicil which were duly executed at U.S.A. on 09.10.2007 and 23.11.2020. The said Will and Codicil are in English language. The Article No. 3 of the Will can be interpreted to say that Dr. Usha Doshi is appointed as an Executor of the Will. Para No. 1 of the Codicil refers to the appointment of the another Executor namely Bhavani Kakani. Only two Executrices appointed under the Will as well as Codicil. Ld. Advocate for petitioner submits that another executor namely Bhavani Kakani is not well hence, petitioner has filed Affidavit dated 30.08.2024 stating that the said Bhavani Kakani is suffering from Dementia and Parkinson therefore, she is unable to execute any document. The said Affidavit is accepted. Therefore, the said Executor deemed to have reserved his rights as an Executor.

3. Ld. Advocate for petitioner submits that parents of deceased predeceased the deceased. As per para No. 15 of the petition deceased was survived by two daughters and both daughters have given their consents in favour of petitioner herein.

4. Perused Petition. Heard Ld. Advocate for petitioner. Ld. Advocate for petitioner submits that grant has been issued by the Court of Davidson County, Tennessee in USA on 15.09.2022 in respect of same Will and Codicil. It is annexed as Exhibit – “C” to the petition. Ld. Advocate for petitioner states that grant can be issued by this Court in view of section 228 of the Indian Succession Act, 1925. He further states that the said grant is in respect of the property at USA only. Therefore, petitioner has filed this petition for grant of Probate for the property situated in Mumbai.2

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

07.05.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**