

**BEFORE : MRS. K. Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 27th March, 2025**

CALLED FOR COMPLIANCE :

11 TP/1888/2024 (E-filing)

Mr. Sudhir Yadav i/b. Sudip Mallick, Advocate for petitioner

- PC :**
1. Perused Petition. Heard Ld. Advocate for petitioner. By order dated 13.12.2024 this Hon'ble Court has observed that Special Citation was issued to the Executor however, the said special citation has been returned with the remarks 'unclaim'. Therefore, the Hon'ble Court recorded that the special citation be deemed to be served and department is directed to proceed with the petition as contested petition.
 2. This petition is for Probate of last Will and Testament of deceased filed by petitioner namely Seema Rajiv Arora d/o. Krishan Manohar Kapoor being one of the Executrix named under the Will of deceased. Deceased namely Krishan Manohar Kapoor s/o. Ram Rachpal Kaura, said to have died at Gujarat on 10.10.2022. Copy of death certificate is annexed to the petition. Identification proof of deceased viz. copy of Aadhaar Card is annexed to the petition.
 3. Ld. Advocate for petitioner submits that deceased left behind his last Will and Testament which was duly executed and registered at Gujarat on 04.04.2022. The said Will is in English language. Petitioner is one of the executrix and other Executor namely Manoj Kapoor s/o. Krishnan Manohar Kapoor has renounced his rights for Probate and execution of the Will. In view of the order passed by the Hon'ble Court hereinabove, the said Executor namely Manoj Kapoor (son of deceased) is deemed to have been served.
 4. Ld. Advocate for petitioner submits that parents of deceased predeceased the deceased. Wife of deceased predeceased the deceased. Deceased died as widower. Deceased was survived by one son and one daughter. Out of them daughter is petitioner herein and Son has been served through Bailiff from the office of Sheriff, Mumbai and Affidavit of Service of citation dated 27.06.2024 to that effect is filed. There are no other legal heirs.
 5. Petitioner's oath is filed. Affidavit of Devendra Dinubhai Barot dated 05.02.2024 one of the Attesting Witness to the Will is filed. Affidavit of Service of General Citation dated 02.07.2024 is filed. All other legal formalities are complied with. Hence, petition is granted.

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

27.03.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**