

**BEFORE : MRS. K. Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 14th August, 2025**

CALLED FOR HEARING :

17 TP/3153/2024 (E-filing)

Ms. Jyoti Badgujar i/b. Vijay Badgujar, Advocate for petitioner
Mr. Pareshtar Parekh, Advocate for Caveator

PC :

1. Perused Petition. Heard Ld. Advocate for petitioner. Caveators namely Shenaz Rohinton Parakh and Joanna Russi Cooper has filed Caveat (L) No. 1 of 2024 and same is rejected under Rule 986 of the Bombay High Court (Original Side) Rules, 1980 by an order dated 19.12.2024 as reflected on the CIS system. Ld. Advocate for caveator submits that there is Interim Application which is e-filed, however, there is no CIS number issued hence, Advocate to take steps.
2. This petition is for Probate of last Will and Testament of deceased filed by petitioner namely Pratik Devang Shah being one of the Executors named under the Will of deceased. The deceased namely Perviz Rusi Cooper died at Mumbai on 21.08.2023. 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 her last Will and Testament which was duly executed at Mumbai on 26.07.2022. The said Will is in English language. The Para No. 1 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 Mihir Dilip Asher has reserved his rights to act as an Executor and Affidavit dated 08.02.2024 is filed to that effect.
4. Ld. Advocate for petitioner submits that parents of deceased predeceased the deceased. Deceased died as spinster. Brother of deceased namely Feroz Rusi Cooper died as bachelor. Deceased was survived by one sister who has given her consent in favour of the petitioner. Consent Affidavit is on record. There are no other legal heirs.
5. Petitioner's oath is filed. Affidavits of Bela Dilip Asher and Nozer Burjorji Mehta dated 08.02.2024 both the Attesting Witnesses to the Will are filed. Affidavit of Service of General Citation dated 23.08.2024 is filed. All other legal formalities are complied with. Hence, petition is granted.2

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

14.08.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**