

**BEFORE : MRS. K. Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 23rd April, 2025**

CALLED FOR HEARING :

11 TP/3594/2024 (E-filing)

Ms. Mamta Shah, 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 Rashmikanth Hirji Bheda and Parinda Rashmikanth Bheda both being Executors named under the Will of deceased. The deceased namely Lachhbai Hirji Bheda died at Mumbai on 07.09.2005. Copy of death certificate is annexed to the petition. Petitioner has filed Affidavit dated 16.11.2024 for dispensation of identification proof of deceased. The same is accepted.

2. The deceased left behind her last Will and Testament which was duly executed at Mumbai on 01.08.1999. The said Will is in Gujarati language hence, Advocate for petitioner has filed Affidavit dated 09.10.2024 along with translation. The Para No. 2 of the Will refers to the appointment of Executor. Only two Executors appointed under the Will.

3. Ld. Advocate for petitioner submits that husband of deceased predeceased the deceased. Deceased had four sons and one daughter. Out of them son namely Chunilal died on 26.10.2022, leaving behind legal heirs mentioned at Sr. No. 4(a) to 4(b)(iii). Another son namely died on 22.12.2023 leaving behind legal heirs at 5-a to 5-b. All the legal heirs have given their consents in favour of the petitioner. Consent Affidavits are on record. There are no other legal heirs.

4. Petitioner's oath is filed. Affidavit of Ramnik Damji Gala dated 30.08.2024 is filed under Rule 384 of the Bombay High Court (Original Side) Rules, 1980 as both the Attesting Witnesses namely Vasant Nanji Bheda died on 18.02.2021 and Dr. B. J. Kamani died on 15.12.2008. Affidavit of Service of General Citation dated 03.09.2024 is filed. All other legal formalities are complied with. Hence, petition is granted.

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

23.04.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**

