

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

CALLED FOR HEARING :

11 TP/3668/2024 (E-filing)
WITH
WILL/1440/2024

Mr. D. R. Mishra, Advocate for petitioner

- PC :** 1. Perused the amended Petition. Heard Ld. Advocate for petitioner. This petition is for Probate of last Will and Testament of deceased filed by petitioner namely Kamlesh Himatlal Shah, being Surviving Executor named under the Will of deceased. The deceased namely Himatlal B. Shah died at Mumbai on 07.08.1989. Copy of death certificate is annexed to the petition. As no identification proof of the deceased found hence, Advocate for petitioner has filed Affidavit of the petitioner for Documentary Proof dated 10.05.2024. The same is accepted.
2. The deceased left behind his last Will and Testament which was duly executed at Mumbai on 01.11.1988. The said Will is in English language. The Para No. 5 of the Will refers to the appointment of Executor. Three Executors appointed under the Will. Out of them one executor is petitioner herein. Ranmesh Shah one of the executor is expired on 28.05.2013. Remaining executor namely Jayesh Himatlal Shah has reserved his rights to act as executor and Affidavit dated 12.11.2025 is filed to that effect. Residuary clause in respect of properties of deceased is mentioned at para No. 8 of the Will.
3. Ld. Advocate for petitioner submits that mother and wife of deceased predeceased the deceased. As per para 9 of the petition, deceased was survived by three sons, three daughters, one daughter-in-law, one grand-son and three grand-daughters. Out of them one son is petitioner herein and all legal heirs have given their consent. Consent Affidavits are on record. There are no other legal heirs.
4. Petitioner's oath is filed. Affidavit of Ketan R. Parikh dated 13.05.2024 one of the Attesting Witness to the Will is filed. Affidavit of Service of General Citation dated 09.06.2025 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.

23.12.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**