

**BEFORE : MRS. K. Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 29th July, 2025**

CALLED FOR COMPLIANCE :

11 TP/4006/2024 (E-filing)

Mr. Vinay Shingada, 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 Bhupendra Rupshi Sheth being sole Executor named under the Will of deceased. The deceased namely Premuben Rupshi Sheth died at Ahmedabad, Gujarat on 26.01.2011. Copy of death certificate is annexed to the petition. Identification proof of deceased viz. copy of Election Card is annexed to the petition.

2. The deceased left behind her last Will and Testament which was duly executed at Mumbai on 31.03.2009. The said Will is in English language. The Para No. 1 of the Will refers to the appointment of Executor. Only one Executor appointed under the Will who is petitioner herein.

3. Ld. Advocate for petitioner submits that parents and husband of deceased predeceased the deceased. One son of deceased namely Prabhulal died on 30.10.2008 leaving behind his widow, two daughters and two sons. One son of Prabhulal namely Sandeep died on 14.01.2023 leaving behind his widow and one son. Another son of deceased namely Walchand died on 03.10.2009 leaving behind his widow and two sons. Daughter of deceased namely Nirmala died on 03.05.2023 leaving behind her three sons. Deceased was survived by four sons, two daughters-in-law, six grandsons, two granddaughters and one great grandson. Out of them caveat (L) No. 33701 of 2024 was filed by eight legal heirs namely Ranjanben, Nutan, Sonal, Kavita, Veer, Chetan, Pitamber and Vasant and the same was rejected under Rule 986 of the Bombay High Court (Origin Side) Rules, 1980 by an order dated 24.01.2025. One son is petitioner herein. Nemidas, Kokila, Kaushik and Manish have given their consents in favour of the petitioner herein. Consent Affidavits are on record. Vikram, Sanjay and Kalpesh have been served with the citation and Affidavit of Service dated 25.04.2025 is filed through the office of Sheriff, Mumbai to that effect. There are no other legal heirs.

4. Petitioner's oath is filed. Affidavit of Dr. Parag Girdharlal Jhaveri dated 23.04.2024 one of the Attesting Witness to the Will is filed. Affidavit of Service of General Citation dated 03.05.2025 is filed. All other legal formalities are complied with. Hence, petition is granted.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.

29.07.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**