

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION**

TESTAMENTARY PETITION NO.4496 OF 2024

Kusum Jawaharlal Karia

... Deceased

Parag Himatlal Kariya

... Petitioner/Executor

**WITH
WILL NO.1789 OF 2024
IN
TESTAMENTARY PETITION NO.4496 OF 2024**

Mr. Darshan R. Mehta and Ms. Megha Sanghavi i/by Dhruve Liladhar & Company for the Petitioner.

CORAM : ARIF S. DOCTOR, J.

DATE : 07TH JANUARY 2025

P.C. :

1. Mr. Mehta, Learned Counsel appearing on behalf of the Petitioner today invited my attention to the order dated 19th November 2024 by which this Court issued a special citation to Mr. Jayesh L. Karia, who is said to be the second executor named in the Will of the Deceased Kusum Jawaharlal Karia. The said special citation was made returnable on 17th December 2024 and it is pointed out that despite due service of the special citation, the second executor,

i.e., Jayesh L. Karia has not appeared nor has he filed any Affidavit for renunciation. Thus, it is clear that Mr. Jayesh L. Karia is not desirous of acting as an executor.

2. I am informed that the Petition is filed by the first executor and therefore any requisition or objection raised by the Registry as to why the Petition has been filed only by one executor, in my view, would not lie.

3. The Registry is directed to act accordingly.

(ARIF S. DOCTOR, J.)