

**BEFORE : MRS. K. Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 30th April, 2025**

CALLED FOR HEARING :

15 TP/4496/2024 (E-filing)

Ms. Megha Sanghavi i/b. Dhruve Liladhar and Co., 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 Parag Himatlal Kariya being one of the Executors named under the Will of deceased. The deceased namely Kusum Jawaharlal Karia died at Mumbai on 28.11.2023. Copy of death certificate is annexed to the petition. Identification proof of deceased viz. copy of Aadhaar Card is annexed to the petition.

2. The deceased left behind her last Will and Testament which was duly executed at Mumbai on 29.03.2009. The said Will is in English language. The Page No. 15 of the petition refers to the appointment of Executor. Only two Executors appointed under the Will. Petitioner is one of the Executors and another executor is namely Jayesh L. Karia. This Hon'ble Court by an order dated 07.01.2025 has dispensed with the objections as regards the right of another Executor as he did not respond to the Service of Special Citation issued as per the directions of the Hon'ble Court.

3. Ld. Advocate for petitioner submits that husband of deceased predeceased the deceased. Deceased died issue-less. There are no class I legal heirs of deceased. Deceased was survived by one brother who has given his consent in favour of the petitioner. Consent Affidavit is on record. There are no other legal heirs.

4. Petitioner's oath is filed. Affidavit of Bipin Jamnadas Modi dated 22.08.2024 one of the Attesting Witness to the Will is filed. Affidavit of Service of General Citation dated 04.10.2024 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.

30.04.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**