

ary

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 10th February, 2025.

MENTIONED, NOT ON BOARD:

5. TP/4864/2024

) **Mr. Vivek V. Salunke, Advocate for the Petitioner.**

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) **P.C.:** 1. Today, this matter is mentioned before me
) for speaking to the minutes of order dated
) 04.02.2025.
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) 2. Perused praecipe dated 10.02.2025. Heard
) Ld. Advocate for the Petitioner.
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) 3. It is stated in the praecipe that in para – 3 of
) the order dated 04.02.2025, it is stated that
) the deceased was governed under “the Hindu
) Succession Act 1956” instead of “Indian
) Succession Act 1925 applicable to Parsis”, since
) the deceased was a Parsi.
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) 4. In view of above, order dated dated
) 04.02.2025 is corrected.
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) 5. Praecipe dated 10.02.2025 is disposed of.
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) For the sake of convenience, order dated
) 04.02.2025 read as under;
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) 6. Perused Petition which is filed online.
) Heard Ld. Advocate for the Petitioner. This
) Petition is for Probate of Last Will and
) Testament of the deceased filed by the
) Petitioner Kamal Minoo Palia being the Sole
) Executor named under the Will of the
) deceased. Deceased Dolly Minoo Palia, said to
) have died at Pune on 02.02.2022. Copy of
) death certificate is annexed to the Petition. For
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) identification proof of the deceased, copy of
) Aadhar Card is annexed to the Petition.
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) 7. Mr. Tiwari, Advocate for the Petitioner
) submits that deceased left behind her last Will
) and Testament which was duly executed at
) Pune, on 17.03.2017. The said Will is in
) English language.
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) 8. Mr. Tiwari, Advocate for the Petitioner
) submits that deceased was governed under the
) **Indian Succession Act 1925 applicable to**
) **Parsis**. It is submitted that the brother of the
) Deceased Mr. Hoshang Minocher Pavri
) predeceased the deceased, Exhibit - 'D' to the
) Petition is a photo copy of the Death certificate.
) Save and except as mentioned in para – 8,
) there are no other legal heirs left by the
) deceased.
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) 9. Petitioner's Oath is filed. Affidavit of
) Aspandiar Nari Kanga, one of the attesting
) witness to the Will is filed. Affidavit of service
) of General Citation is filed. All the Affidavits
) are also filed online. All other legal formalities
) are complied with. Hence, Petition is granted.
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) 10. Office to issue Probate as prayed after
) verifying whether any Cross Petition or Caveat
) is filed.
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10.02.2025

Addl. Registrar (O.S.) /
Addl. Prothonotary and Senior Master