

**BEFORE : MRS. KAVITA Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 16th September, 2025**

CALLED FOR HEARING :

13 TP/5009/2024 (E-filing)

Ms. Jayshree Suryavanshi i/b. Ashish Suryavanshi, 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 Rashna Meherwan Merchant being sole Executrix named under the Will of deceased. The deceased namely Rusi Keki Jabbar died at Mumbai on 30.07.2023. 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 his last Will and Testament which was duly executed at Mumbai on 17.06.2017. The said Will is in English language. The Para No. 4 of the Will refers to the appointment of Executrix. Only one Executrix appointed under the Will.
 3. Ld. Advocate for petitioner submits that parents of deceased predeceased the deceased. Deceased died issue-less. Deceased was survived by his widow who has given her consent in favour of petitioner. Consent Affidavit is on record. There are no other legal heirs.
 4. Petitioner's oath is filed. Petitioner has filed Affidavit dated 13.05.2025 wherein it is stated that two original Attesting Witnesses to the Will are not available and reason thereto in para No. 7 of the said Affidavit and has requested to accept the Affidavit under Rule 384 of the Bombay High Court (Original Side) Rules, 1980. The Affidavit of Asutosh P. Mehta dated 21.06.2024 is accepted as he was present at the time of execution of the Will on 17.06.2017 and the same is accepted under Rule 384 of the Bombay High Court (Original Side) Rules, 1980. Affidavit of Service of General Citation dated 17.12.2024 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.

16.09.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**