BEFORE : MRS. K. Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 9th April, 2025

CALLED FOR HEARING :

18 TP/5036/2024 (E-filing)

Ms. Jyoti Badgujar i/b. Lakdwala 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 Yagnesh Vithaldas Bhatia being one of the Executors named under the Will of deceased. The deceased namely Jaya Hemendra Dossa is said to have died at Mumbai on 02.10.2023. Copy of the death certificate is annexed to the petition. Identification proof of deceased viz. a copy of the Aadhaar Card is annexed to the petition.

2. The deceased left behind her last Will and Testament which was duly executed at Mumbai on 09.10.2022. The said Will is in English language. The Para number one of the Will refers to the appointment of Executors. Only two Executors appointed under the Will. Out of them one is petitioner herein and another Executor namely Ashish Bhakta has renounced his rights and Affidavit of Renounciation dated 18.09.2024 is filed to that effect.

3. Ld. Advocate for petitioner submits that parents and husband of deceased predeceased the deceased. Deceased had no daughter and had only one son. Son of deceased namely Dhruve Hemendra Dossa died as bachelor on 16.12.186. Husband of the deceased had two sisters and one brother. Amongst the siblings of the husband of the deceased, details are provided in para No. 8 of the petition. Therefore, only legal heirs survived from the relatives of the husband of the deceased Ramila Bhakta (sister-in-law of deceased) and Darshana Mahesh Vet (Niece-in-law of deceased). Out of them, Ramila Bhakta served through Bailiff from the office of Sheriff, Mumbai and Service Affidavit dated 11.01.2025 is filed to that effect. Darshana Ved has given her 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 Viren Chandrasen Khandwala dated 18.09.2024 one of the Attesting Witness to the Will is filed. Affidavit of Service of General Citation dated 13.01.2025 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.

COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR

09.04.2025