

**BEFORE : MRS. K. Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 11th July, 2025**

CALLED FOR HEARING :

16 TP/5257/2024 (E-filing)

Mr. Suraj Dube, 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 petitioners namely Alok Brij Mohan being sole Executor named under the Will of deceased. The deceased namely Brij Mohan died at Mumbai on 22.09.2023. 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 19.05.2022. The said Will is in English language. The Page No. 4 of the Will refers to the appointment of Executor. Only one Executor appointed under the Will who is petitioner herein.
3. Ld. Advocate for petitioner submits that parents and wife of deceased predeceased the deceased. Deceased was survived by two sons and one daughter. Out of them one son is petitioner herein and another son has been served with the citation through office of Sheriff, Mumbai by RPAD and the same has been returned with remarks 'Unclaimed'. Ld. Advocate for petitioner submits that unclaimed service is good service in view of the order dated 22.11.2016 in Commercial Suit No. 110 of 2016 passed by this Hon'ble Court. Ld. Advocate for petitioner further submits that he has also served the said son by e-mail dated 23.04.2025 and he has acknowledged it by reply to that e-mail dated 24.04.2025. Daughter of deceased 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. Affidavit of Leena Kendurkar and Mangal Basvani Gheji dated 16.09.2024 both the Attesting Witnesses to the Will are filed. Affidavit of Service of General Citation dated 12.03.2025 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.

11.07.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**

