

**BEFORE : MRS. KAVITA Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 14th October, 2025**

CALLED FOR HEARING :

17 TP/5416/2024 (E-filing)

Ms. Siddhi Dama i/b. ANB Legal, 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 Ratan Kumar Shah being sole surviving Executor named under the Will of deceased. The deceased namely Shantidevi Bihari Shah died at Mumbai on 21.07.2021. 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 28.01.2003. The said Will is in English language. The Para No. 6 of the Will refers to the appointment of Executors. Only two Executors appointed under the Will. One of the executors namely Biharilal Shah died on 04.09.2024 as stated in para No. 5 of the petition hence, petitioner is sole surviving executor.
3. Ld. Advocate for petitioner submits that parents of deceased predeceased the deceased. Husband of deceased since deceased the deceased who died on 04.09.2024. Deceased was survived by three sons and one daughter. Out of them one son is petitioner herein and the daughter and remaining two sons have given their consents in favour of the petitioner. Consent Affidavits are on record. There are no other legal heirs.
4. Petitioner's oath is filed. Para No. 11 of the petition states that Attesting Witnesses to the Will namely H. V. Gala and Jayant Kale died on 19.02.2009 and 05.04.2011 respectively. Petitioner has filed Affidavit dated 06.08.2025 of Krishan Babulal Gupta as an Affidavit of Attesting Witness and the same is accepted under Rule 384 of the Bombay High Court (Original Side) Rules, 1980. Affidavit of Service of General Citation dated 21.01.2025 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.

14.10.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**

