

**BEFORE : MRS. K. Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 8th May, 2025**

CALLED FOR HEARING :

17 TP/5623/2024 (E-filing)

Mr. Malcolm Vaz i/b. Sanjay Rego, 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 Noshir Eduljee and Behram Tehmurasp Dastur being Executors named under the Will of deceased. The deceased namely Ld. Col. Freddy Eduljee died at Mumbai on 01.02.2017. 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 05.01.2009. The said Will is in English language. The Para No. 2 of the Will refers to the appointment of Executor. Only four Executor appointed under the Will. Petitioners are the executors and **remaining two executors namely Dinoo Freddy Eduljee and Hoshang Munchersha Elavia have not filed their Affidavits for reserving or renouncing their rights as an Executors.**
3. Ld. Advocate for petitioner submits that parents of deceased predeceased the deceased. Wife of deceased died on 21.07.2023. Deceased was survived by two sons who have given their consents in favour of the petitioners. Consent Affidavits are on record. There are no other legal heirs.
4. Petitioner's oath is filed. Affidavit of Behram Tehmurasp Dastur dated 03.05.2024 one of the Attesting Witness to the Will is filed. Affidavit of Service of General Citation dated 15.01.2025 is filed.
5. Ld. Advocate for petitioner file praecipe to place on board as and when the matter is ready for grant. Hence, remove from board.

08.05.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**