

CALLED FOR HEARING :

Ms. Jyoti Badgujar i/b. Lakdawala & Co, Advocate
for the Petitioner.

PC.: 1. Perused Petition which is filed online. Heard Ld. Advocate for the Petitioner. This Petition is for Probate of Last Will and Testament of the deceased filed by the Petitioner Padi Hassaram Surtani the Sole Executor named under the Will of the deceased. Deceased Surtani Rukmani Hassaram alias Rukmani Hassaram Surtani alias Rukmani H. Surtani, said to have died at Mumbai on 06.10.1993. Copy of death certificate is annexed to the Petition. For identification proof of the deceased, copy of passport is annexed to the Petition.

2. **Ms. Jyoti Badgujar**, Advocate for the
Petitioner submits that deceased left behind
her last Will and Testament which was duly
executed at Mumbai, on 15.04.1988. The said
Will is in English language.

3. **Ms. Jyoti Badgajar**, Advocate for the Petitioner submits that deceased was governed under the **Hindu Succession Act 1956**. It is submitted that the said Deceased died leaving behind 1 Son and 1 daughter, the Petitioner herein as heirs of the Deceased. The HUSBAND of the Deceased Mr. Hassaram Rijumal Surtani expired on or about the 27-7-1953, he predeceased the Deceased. The said Deceased left no other heirs, other than those mentioned

) herein above. There are no next of kin's left by
) the Deceased above named. The Petitioner is
) Padi Hassaram Sultani, but inadvertently in the
) Will. it is spelt as Paddy, but both are the
) names of, one and the same person. Save and
) except as mentioned in para – 8, there are no
) other legal heirs left by the deceased. The Ld.
) Advocate for the Petitioner submits that the
) delay in making present petition is on account
) of the fact that petitioner was unaware of
) obtaining any legal representation. Now
) petitioner has been advised to obtain a legal
) representation, Hence this Hon'ble Court in the
) interest of Justice may condone the delay.
) Thus, the delay is explained.
)

) 4. Petitioner's Oath is filed. Consent Affidavits
) of the legal heirs **in para – 8** are on record.
) Pursuant to the order passed in IA (L) No.
) 37149 of 2024 by the Hon'ble Court
) (Coram : Arif S Doctor, J.) on 30.01.2025 the
) Affidavit of ASHA LACHMANDAS KIRPALANI,
) be accepted under Rule No. 384 of High Court
) (O.S.) Rule 1980, the attesting witness to the
) Will is filed. Affidavit of service of General
) Citation is filed. All the Affidavits are also filed
) online. All other legal formalities are complied
) with. Hence, Petition is granted.
)

) 5. Office to issue Probate as prayed after
) verifying whether any Cross Petition or Caveat
) is filed.
)
)
)
)
)
)
)
)
)
)

06.02.2025

Addl. Registrar (O.S.) /
Addl. Prothonotary and Senior Master