

**BEFORE : MRS. K. Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 18th March, 2025**

CALLED FOR HEARING :

13 TP/5754/2024 (E-filing)
WITH
WILL/2303/2024

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 namely Shekhar Kanaiyalal Shah being one of the Executors named under the Will of deceased. Deceased namely Kunjbala Rameshbhai Kothari alias Kunjbala Ramesh Kothari alias Kunjbala Kothari said to have died at Mumbai on 11.10.2024. Copy of death certificate is annexed to the petition. Identification proof of deceased viz. copy of Aadhaar Card is annexed to the petition.
2. Ld. Advocate for petitioner submits that deceased left behind her last Will and Testament which was duly executed at Mumbai on 16.02.2022 and the same was registered with the office of Sub-Registrar, Mumbai on 17.02.2022. The said Will is in English language. Petitioner is one of the Executors and other executor namely Mukesh Kanaiyalal Shah has reserved his rights to come and apply for Probate later on hence, Affidavit of Reservation dated 30.11.2024 is on record. Remaining Executor namely Dipak Navnitlal Morjaria has renounced his rights for Probate and execution of the said Will and Affidavit for Renunciation dated 30.11.2024 is filed.
3. Ld. Advocate for petitioner submits that husband of deceased namely Ramesh Nanalal Kothari predeceased the deceased, who died on 13.11.2002. Deceased was survived by one son and two married daughters, who all 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. Affidavit of Jyoti Raj Sampat dated 30.11.2024 one of the Attesting Witness to the Will is filed. Affidavit of Service of General Citation dated 02.01.2025 is filed. All other legal formalities are complied with. Hence, petition is granted.

– 2 –

5. Office to issue Probate as prayed after verifying whether any cross petition is filed or whether any caveat is filed.

18.03.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**