

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 Nimish Indubhai Kapashi one of the Executor named under the Will of the deceased. Deceased of Indukumar Shantilal Kapashi alias Indubhai Shantilal Kapashi alias Indukumar S. Kapashi, Jain, said to have died at Mumbai on 15.02.2023. Copy of death certificate is annexed to the Petition. For identification proof of the deceased, copy of Aadhar Card is annexed to the Petition.

2. **Ms. Jyoti Badgajar**, Advocate for the Petitioner submits that deceased left behind **him** last Will and Testament which was duly executed at Mumbai, on 08.05.2009. The said Will is in English language.

3. **Ms. Jyoti Badgujar**, 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 Widow, 1 Son and 1 Daughter. The MOTHER of the Deceased Mrs Kamalaben Shantilal Kapashi. Save and except as mentioned in para – 8, there are no other legal heirs left by the deceased.

) 4. Petitioner's Oath is filed. Consent Affidavits
) of the legal heirs **in para – 8** are on record.
) Affidavit of MR. DIVYESH VINODRAY MEHTA,
) one of the attesting witness to the Will is filed.
) The remaining executors Nitina Indukmar
) Kapashi and Sejal Indubhai Kapashi have filed
) their affidavits dated 26.11.2024 respectively
) renouncing their rights as Executor. 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.
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) 5. Office to issue Probate as prayed after
) verifying whether any Cross Petition or Caveat
) is filed.
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06.02.2025

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