

**BEFORE : MRS. K. Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 13th March, 2025**

CALLED FOR HEARING :

15 TP/5997/2024 (E-filing)
WITH
WILL/2404/2024

Ms. Jyoti Badgujar i/b. Lakdawala and Co., Advocate for petitioner

- PC :** 1. Perused Petition. Heard Ld. Advocate for petitioner. Ld. Advocate for petitioner seeks permission to carry out corrections in the prayer clause of the petition since other executor namely Jagdish Jagmohandas Kapadia died on 13.02.2014. Copy of death certificate is annexed to the petition as Exhibit "C". The said corrections are allowed. Ld. Advocate for petitioner to carry out the said corrections within two weeks from the date of uploading of this order. Ld. Advocate for petitioner re-upload the corrected version of the petition on the official portal of the Bombay High Court.
2. This petition is for Probate of last Will and Testament of deceased filed by petitioner namely Amol Jagdish Kapadia being sole surviving Executor named under the Will of deceased. Deceased namely Sushila Jagdish Kapadia alias Sushila J. Kapadia alias Sushila Kapadia said to have died at Mumbai on 19.12.2023. Copy of death certificate is annexed to the petition. Identification proof of deceased viz. copy of Aadhaar Card is annexed to the petition.
3. Ld. Advocate for petitioner submits that deceased left behind his last Will and Testament which was duly executed at Mumbai on 26.04.2010. The said Will is in English language. Petitioner is sole surviving Executor and other executor namely Jagdish Jagmohandas Kapadia died on 13.02.2014. Copy of death certificate is annexed to the petition as Exhibit "C". By order dated 22.10.2024 passed by this Hon'ble Court, upon the true copy of last Will and testament being filed, the original Will be accepted.
4. Ld. Advocate for petitioner submits that husband of deceased predeceased the deceased. Deceased had no daughter and was survived by two sons. Out of them one son is petitioner herein and another son has given his consent in favour of the petitioner. Consent Affidavit is on record. There are no other legal heirs.

– 2 –

5. Petitioner's oath is filed. Affidavit of Abhijit Jagdish Joshi dated 31.05.2024 one of the Attesting Witness to the Will is filed. Affidavit of Service of General Citation dated 17.01.2025 is filed. All other legal formalities are complied with. Hence, petition is granted.

6. Office to issue Probate as prayed after re-uploading the corrected version of the petition on the official portal of the Bombay High Court and get it approved from the Registry and after verifying whether any cross petition is filed or whether any caveat is filed.

13.03.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**