

BEFORE : MRS. K. Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 2nd May, 2025

CALLED FOR HEARING :

24 TP/789/2025 (E-filing)

Mr. S. U. Lakdwala i/b. Mulla Shrimanek Naval, 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 Supriya Sumesh Khanna being sole Executrix named under the Will of deceased. The deceased namely Sumesh Rsamanlal Khanna died at Mumbai on 13.06.2023. 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 11.01.2020 and the same is registered on 21.01.2020 with the office of Sub-Registrar of Assurances. The said Will is in English language. The Para No. 2 of the Will refers to the appointment of Executor. Only one Executor appointed under the Will.

3. Ld. Advocate for petitioner submits that deceased had no son and was survived by mother, widow and two daughters. Mother died on 10.11.2024 who since deceased the deceased leaving behind two daughters. Out of them widow is petitioner herein and two daughters have given their consents in favour of the petitioner. Consent Affidavits are on record. As regards two sisters of deceased, they have been served the citation as per Affidavit of Service dated 24.04.2025. Para No. 4 of the said Affidavit, tracking remarks annexed to the Affidavit shows that "item onhold door locked-intimation served" dated 01.04.2025 on both the legal heirs. The said service is good service in view of the Judgment dated 07.05.2024 in FCA/23/2008. There are no other legal heirs.

4. Petitioner's oath is filed. Affidavit of Vinod Madanlal Channana dated 03.09.2024 one of the Attesting Witness to the Will is filed. Affidavit of Service of General Citation dated 24.04.2025 is filed. All other legal formalities are complied with. Hence, petition is granted.

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

02.05.2025

COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR

