

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

CALLED FOR HEARING :

33 TP/832/2025 (E-filing)

Mr. S. U. Lakdwala a/w. Jayant Wani, Jyoti Badgujar, 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 Sam Darabsha Modi being one of the Executors named under the Will of deceased. The deceased namely Hoshi Bomi Khodaiji died at Mumbai on 18.04.2024. Copy of death certificate is annexed to the petition. Identification proof of deceased viz. copy of Aadhaar Card is annexed to the petition.
2. The deceased left behind his last Will and Testament which was duly executed at Mumbai on 14.04.2017 and the same was duly registered on 15.04.2017 with the office of Sub-Registrar, Andheri. The said Will is in English language. The Para No. 1 of the Will refers to the appointment of Executor. Only two Executors appointed under the Will. Petitioner is one of the Executors and another executor namely Keki Minoo Press has reserved her rights to come and apply for Probate later on and Affidavit dated 29.01.2025 is filed to that effect.
3. Ld. Advocate for petitioner submits that parents, grandparents, wife and one daughter of deceased predeceased the deceased. Daughter of deceased namely Delnz Warren Netto died on 10.02.2012, leaving behind her husband and two sons. The said two sons are minors therefore, their father namely Warren Gordon Netto has filed consent Affidavit on their behalf. There are no other legal heirs.
4. Petitioner's oath is filed. Affidavit of Porus Khaikhushroo Wadia dated 01.02.2025 one of the Attesting Witness to the Will is filed. Affidavit of Service of General Citation dated 20.03.2025 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**

