

**BEFORE : MRS. KAVITA Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 17th September, 2025**

CALLED FOR HEARING :

10 TP/1081/2025 (E-filing)

Mr. Suraj Ghogare i/b. Amrut M. Vernekar, 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 Manak Motilal Mehta being sole Executor named under the Will of deceased. The deceased namely Bhanumati Motilal Mehta died at Mumbai on 11.10.2012. Copy of death certificate is annexed to the petition. Identification proof of deceased viz. copy of Passport is annexed to the petition.
2. The deceased left behind her last Will and Testament which was duly executed at Mumbai on 17.04.2009. The said Will is in English language. The Page No. 3 of the Will refers to the appointment of Executor. Only one Executor appointed under the Will who is petitioner herein.
3. Ld. Advocate for petitioner submits that husband of deceased predeceased the deceased. Deceased was survived by three sons. Out of them one son is petitioner herein and another son namely Sushil has given his consent in favour of the petitioner. Consent Affidavit on record. Remaining son namely Vijay has been served with the citation through newspaper publication and Affidavit of Service dated 04.07.2025 is filed to that effect. There are no other legal heirs.
4. Petitioner's oath is filed. Toral Vishal Gandhi has filed her Affidavit dated 04.01.2025 stating that in para No. 1 of the said Affidavit that the original Attesting Witnesses reported to have been expired and therefore, they are not available and in para 2 of the said Affidavit, the said Toral Gandhi stated that she was present at the time of execution of the Will and she has further filed Affidavit as an Attesting Witness and the same is accepted as per rule 384 of the Bombay High Court (Original Side) Rules, 1980. Affidavit of Service of General Citation dated 09.04.2025 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.

17.09.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**