

**BEFORE : MRS. K. Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 25th July, 2025**

CALLED FOR HEARING :

20 TP/1767/2025 (E-filing)

Mr. Pierre Fernandes a/w. Rupali Singh i/b. Ivor Peter Dcruz, 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 Carol Rosemary Pereira being sole Executrix named under the Will of deceased. The deceased namely Derek Peter Pereira died at Mumbai on 04.10.2024. 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 30.03.2015. The said Will is in English language. The Para No. 1 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 parents of deceased predeceased the deceased. Deceased was survived by his widow and one adopted daughter namely Desiree Geraldine Marie Pereira. Deceased was appointed as a legal guardian of Desiree Geraldine Marie Pereira by an order dated 26.04.1989 passed in Indian Guardianship Petition No. 40 of 1989. Deceased had no other sons and daughter. The said daughter namely Desiree Geraldine Marie Pereira has given her consent in favour of the petitioner herein. Consent Affidavit is on record. There are no other legal heirs.
4. Ms. Vedika Doiphode, Advocate for proposed Caveators submits that their Caveat No. 567 of 2025 is filed under section 148(A) of the Civil Procedure Code however, the said Caveat is not filed as per the provisions of Rule 401 of the Bombay High Court (Original Side) Rules, 1980 hence, not required to be considered.
5. Petitioner's oath is filed. Affidavit of Thomas Paul D'souza dated 27.02.2025 one of the Attesting Witness to the Will is filed separately through e-filing. Affidavit of Service of General Citation dated 05.05.2025 is filed. All other legal formalities are complied with. Hence, petition is granted.
6. Office to issue Probate as prayed after verifying whether any cross petition is filed or whether any caveat is filed.

25.07.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**

