Before: Shri. P. A. Jagdale,
Officer on Special Duty,
With the Testamentary Department
Date: 15th December 2025

FOR COMPLIANCE:

130. TP/2270/2025 AMH20240129201C202500003 With WILL/893/2025 In TP/2270/2025	Sudhir Yadav i/b Denzil Dmello, Ld. Advocate for the Petitioner

P.C.:

1) Petitioner, namely Werner Roldao Zuzarte, filed this petition, being the one of the legatees under the Will executed by Celine alias Celina alias Sheila Moniz Zuzarte (herein after the same is referred to as "Testatrix"), for the grant of a Letters of Administration with Will annexed. The Said Testatrix said to have died at Mumbai on 19-06-2016.

2) Perused petition. Heard Ld. Advocate for the petitioner. Perused documents. Petitioner, filed the copy of death certificate, an identity proof of the testator, Will & petitioner's oath.

3) The petitioner has explained the delay vide Rule 382 of the Bombay High Court (Original Side) Rule, 1980(for short "Rules").

4) The executor, namely Dr. Francis Candes is reported to have died on 21.08.2024 and his death certificate has been filed on the record. The petitioner is the One of the legatee under the Will. Hence, the petition is tenable.

5) Petitioner stated that the deceased left behind her last Will and Testament, which was duly executed at Mumbai on 15.12.2012, in English language. The Will is handed over separately for being filed and kept in a safe place in the Office of the Prothonotary and Senior Master, High Court, Bombay.

6) Ld. The advocate for the petitioner submits that the Testatrix is survived by legal heirs, whose details are given in the petition's paragraph No. 10, as per the provisions of Indian Succession Act, 1925. The petitioner affirmed that there are no other legal heirs of the deceased, except as mentioned in the petition. Legal heirs of the testatrix have consented to the petition and thereby waived the service of Citation.

7) Citation was issued, which has been duly affixed on the conspicuous part of the Hon'ble High Court and notice board of the Collector's Office at Mumbai and 14 days have been expired vide Rule 397(1) and (4) of the

Bombay High Court (O.S.) Rules, 1980(for short “BHC Rules”) and an affidavit to that effect has been filed. Notice to collector has been issued vide Rule 396 of BHC Rules. Till today, no one appeared to resist the claim of the petitioner or nothing is brought to the notice regarding pending litigation pertaining to the same properties. Hence, the petition is treated as uncontested one.

8) The petitioner has filed the affidavit of Gene Derrick D’Silva one of attesting Witnesses to the Will, in form No.102 of Bombay High Court (Original Side) Rules, 1980. He deposed that deceased signed the Testament in his presence. Hence, enough evidence is on record to accept the execution of the Will and petitioner is succeeded to prove the execution of Will. According to him all additions and alteration in a Will were existed at the time of execution before signing the Will. Hence, there is sufficient compliance of the Rule 383 of the Rules.

9) Properties mentioned in the schedule-I of the petition are referred in the Will.

10) Other legatees, namely Karl Moniz Zuzarte, Wanda Rodrigues, Charmaine Marise Zuzarte and Zarquinha Fernandes, have given consents to grant Letters of Administration to petitioner.

11) Petitioner has executed the administration Bond in the prescribed format. Hence, following order:

ORDER

1) Petition is granted.

2) Office to issue Letters of Administration with Will annexed to the petitioner, as per the Rules, having effect throughout India.

3) Before issuance of Letters of Administration with Will, the office to verify that there is no cross Petition is pending or caveat is filed. Office to act accordingly.

15th December 2025

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with Testamentary Department