

**BEFORE : MRS. KAVITA Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 18th September, 2025**

CALLED FOR HEARING :

29 TP/2589/2025 (E-filing)

Ms. Saana Varhadi a/w. Jyoti Badgujar i/b. Lakdawala & Co., 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 Khushrooh Jal Olia being sole Executor named under the Will of deceased. The deceased namely Nergish Behram Edulkaka died at Mumbai on 18.04.2025. 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 her last Will and Testament which was duly executed at Mumbai on 09.12.2020. 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 who is petitioner herein.
 3. Ld. Advocate for petitioner submits that parents of deceased predeceased the deceased. Deceased had married twice. First marriage of deceased was dissolved in the year 1965. First husband of deceased died on 18.07.2004. Deceased had one son from the first marriage namely Jal died leaving behind two sons. He had divorced his wife and divorce decree is annexed to the petition. After divorce from the first marriage in the year 1965, deceased re-married and her second husband died in the year 17.06.1987 and there are no issues from the second marriage. Deceased was survived by two grandsons. Out of them grandson is petitioner herein and the another grandsons has given his consent in favour of the petitioner. Consent Affidavit is on record. There are no other legal heirs.
 4. Petitioner's oath is filed. Affidavit of Benaifer Rasheed Mistri dated 05.05.2025 one of the Attesting Witness to the Will is filed. Affidavit of Service of General Citation dated 07.07.2025 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.

18.09.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**