

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

CALLED FOR HEARING :

28 TP/3230/2025 (E-filing)

Mr. V. K. Rajbhar i/b. Salil Dabke, 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 petitioners namely Tehmuras Darius Modi and Darius Nusli Davar being Executors named under the Will of deceased. The deceased namely Piroja Darius Modi died at Mumbai on 28.05.2018. 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 09.06.2010. The said Will is in English language. The Para No. 1 of the Will refers to the appointment of Executors. Only three Executors appointed under the Will. Two executors are petitioners herein and remaining executor namely Dr. Darius Tehmuras Modi died on 05.07.2019 as per para No. 5 of the petition. Residuary clause in respect of properties of deceased is mentioned at para No. 10 of the Will.
3. Ld. Advocate for petitioner submits that husband of deceased since deceased the deceased. Deceased was survived by one son and one daughter. Out of them son is petitioner herein and the daughter has given her 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 Noshir Jehangir Sethana dated 28.05.2025 one of the Attesting Witness to the Will is filed. Affidavit of Service of General Citation dated 30.07.2025 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.

17.11.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**