

**Before: Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date: 30th September, 2025**

FOR COMPLIANCE:

88. TP/3959/2025
(AMH20240127007C
202500036)
with
WILL/1504/2025

P. C. : Ms. Avan Ardeshir i/b Mulla and Mulla and
Craigie Blunt and Caroe Ld. Advocate for the
Petitioner

1) The petitioners, namely (1) Anaheeta Fali Nariman, (2) Nina Rohinton Nariman & (3) Khursheed Rohinton Nariman, have filed this petition being the beneficiaries under the Will executed by Fali Sam Nariman alias Fali S. Nariman alias F. S. Nariman (herein after the same is referred to as "Testator"), for grant of a Letters of Administration with Will annexed. Said Testator said to have died at New Delhi on 21/02/2024. Petitioners have filed a copy of the death certificate, identity proof of the testator, a copy of the Will, consent affidavit of heirs and legatees, affidavit of attesting witness to the Will and their oath.

2) Perused the petition. Heard Ld. Advocate for the petitioner. Perused documents.

3) The executors, namely (1) Rajiv K. Luthra and (2) Bomi M. Mistry, are reported to have died on (1) 10.05.2023 and (2) 05.10.2024, respectively, and their death certificates have been filed on the record at Exhibit-D & E. The petitioners are the Beneficiaries under the Will, and therefore, they have filed the petition, vide Sec. 232(b) of the IS Act.

4) Petitioners stated that the deceased left behind his last will, which was duly executed at New Delhi on 20.09.2008, in English. The Will is handed in separately for being filed and kept

in a safe place in the Office of the Prothonotary and Senior Master, High Court, Bombay.

5) Ld. Advocate for the petitioner submits that the testator is survived by legal heirs, whose details are given in the petition's paragraph No. 10, as per the provisions of the 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 testator have consented to the petition and thereby waived the service of Citation.

6) Citation to all concern was issued and it has been duly affixed on the notice Board of the Hon'ble High Court and the notice board of the Collector's Office at Mumbai. Fourteen days have passed, as required by Rule 397(1) and (4) of the Bombay High Court (O.S.) Rules, 1980 (referred to as "BHC Rules"), and an affidavit verifying this has been filed. Notice to the collector has been issued vide Rule 396 of the BHC Rules. Till today, no one has appeared to resist the claim of the petitioner, nor has anything been brought to the notice regarding pending litigation about the same properties. Hence, the petition is treated as an uncontested one.

7) The petitioner has filed the affidavit of Dr Sunil Kumar Bakshi, one of the attesting Witnesses to the Will, in form No.102 of the Bombay High Court (Original Side) Rules, 1980. He deposed that the deceased signed the Testament in his presence. Hence, enough evidence is on record to accept the execution of the Will, and the petitioner has succeeded in proving the execution of the Will. According to him, all additions in a Will existed at the time of execution before signing the Will. Hence, there

is sufficient compliance with Rule 383 of the BHC Rules.

8) Properties mentioned in Schedule I of the petition are referred to in the Will.

9) Requisition for inventory of the locker has been dispensed with by an order of the Hon'ble Court, passed on 29.09.2025.

10) Other legatees, namely (1) Sanaya Rohinton Nariman and (2) Rohinton Fali Nariman, have consented to the petition for the grant of Letters of Administration to petitioners.

11) Petitioners have executed the administration Bond in the prescribed format. Hence, following the order:

ORDER

1) Petition is granted.

2) Office to issue Letters of Administration with Will annexed to the petitioners, 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 pending or caveat filed. Office to act accordingly.

30th September, 2025

**Officer on Special Duty,
with Testamentary Department**