

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

FOR COMPLIANCE:

89. TP/4035/2025
(AMH20240127007C
202500040)
with
WILL/1531/2025

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

1) The petitioners, being the beneficiaries under the Will executed by Bapsi Pali Nariman, alias Bapsi F. Nariman, alias B.F.Nariman (herein after the same is referred to as "Testatrix") have filed the petition for the grant of a Letters of Administration with Will annexed. Said Testatrix said to have died at New Delhi on 09/06/2020. Petitioner, namely (1) Anaheeta Fali Nariman, (2) Nina Rohinton Nariman and (3) Khursheed Rohinton Nariman, filed the copies of death certificates, copy of the identity proof of the testatrix, copy of the Will, Affidavit of attesting witness to the Will, affidavit of legal heir and Legatees, and petitioners' oath.

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

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

4) 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 produced on the record. The petitioners are the Beneficiaries under the Will, and therefore, they have filed

the petition vide Sec. 232(b) of the IS Act.

5) Petitioner stated that the deceased left behind her 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.

6) Ld. Advocate for petitioner submits that Testatrix 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. The legal heir of the testatrix has 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 the collector has been issued vide Rule 396 of the BHC Rules. Till today, no one has appeared to resist the claim of the petitioners, nor has anything been brought to the notice regarding pending litigation about the same properties. Hence, the petition is treated as an uncontested one.

8) The petitioners have 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. This witness deposed that the deceased

signed the Testament in his presence. Furthermore, he deposed that additions in the Will, such as date, etc., existed at the time of the execution of the Will and thereby the requisition of Rule 383 of the BHC Rule is complied with. Hence, enough evidence is on record to accept the execution of the Will, and the petitioners have succeeded in proving the execution of the Will.

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

10) Other legatees, namely (1) Sanaya Rohinton Nariman and (2) Rohinton Fali Nariman, have consented by their affidavits for the issuance of 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 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 pending or caveat filed. Office to act accordingly.

30th September, 2025

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with Testamentary Department