

**BEFORE : MRS. KAVITA Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 26th November, 2025**

CALLED FOR HEARING :

21 TP/4508/2025 (E-filing)

Ms. Bhavana Dubepatil i/b. Pravin Mehta and Mithi 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 Sahera Yusuf Mithi being one of the Executors named under the Will of deceased. The deceased namely Yusuf Husaini Mithi died at Mumbai on 06.06.2024. 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 his last Will and Testament which was duly executed at Mumbai on 16.06.2018. The said Will is in English language. The Para No. 4 of the Will refers to the appointment of Executors. Only four Executors appointed under the Will. Petitioner is one of the executors and other executors namely Lubaina Murtuza Mal, Kalpesh Pravin Mehta and Salim S. Pishori have renounced their rights to act as Executors and Affidavits dated 14.06.2025, 25.06.2025, 25.06.2025 are filed to that effect respectively. Residuary clause in respect of properties of deceased is mentioned at para No. 12(b) of the Will.
3. Ld. Advocate for petitioner submits that parents of deceased predeceased the deceased. Deceased died issue-less. Deceased was survived by his widow, two sisters, one nephew and two nieces. Out of them widow is petitioner herein and all other legal heirs have given their consents in favour of the petitioner. Consent Affidavits are on record. There are no other legal heirs. Deceased is governed by Indian Succession Act, 1925 as per para No. 6A and 7 of the petition.
4. Petitioner's oath is filed. Affidavit of Urvi Tanna and Mansi Shah dated 25.06.2025 both the Attesting Witnesses to the Will are filed. Affidavit of Service of General Citation dated 10.10.2025 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.

26.11.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**