

**BEFORE : MRS. KAVITA Y. AMBEKAR,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 28th JANUARY, 2026**

CALLED FOR HEARING :

2 TP/4677/2024 (E-filing)
WITH
WILL/1863/2024

Mr. Santosh Salekar i/b. Mr. Manohar Mhaskar, 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 Malcolm Gautam Athaide being one of the Executors named under the Will of deceased. The deceased namely Lawrence Luis Felix Athaide died at Mumbai on 18.08.2020. 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 14.01.2016. The said Will is in English language. The Para No. 1 of the Will refers to the appointment of Executors. Only two Executors appointed under the Will. Petitioner is one of the executors and Affidavit dated 24.10.2025 of another executor namely Jose Aureliano Pereira for renouncing his rights is uploaded on 15.11.2025.

3. Ld. Advocate for petitioner submits that parents of deceased predeceased the deceased. Wife predeceased the deceased. Deceased was survived by three sons and one daughter. Out of them one son is petitioner herein and the daughter has filed has given her consent in favour of the petitioner. Consent Affidavits are on record. Remaining two sons have been served through the office of Sheriff, Mumbai and Affidavit of Service dated 22.04.2025 is filed to that effect.

4. Petitioner's oath is filed. Affidavit of Reginaldo Sales Sardinha dated 27.03.2025 one of the Attesting Witness to the Will is filed uploaded on 18.07.2025. Affidavit of Service of General Citation dated 24.10.2024 is uploaded on 09.12.2025. Delay is explained and the same is condoned. 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.

28.01.2026

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**