

**BEFORE : MRS. KAVITA Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 13th February, 2026**

CALLED FOR HEARING :

5 TP/1280/2025 (E-filing)
WITH
WILL/520/2025

Mr. Suraj Shukla i/b. Shah Legal, Advocate for petitioners

- PC :**
1. Perused Petition. Heard Ld. Advocate for petitioners. This petition is for Probate of last Will and Testament of deceased filed by petitioners namely John Freddy D'mello and Marie Antonette D'mello being Executors named under the Will of deceased. The deceased namely Joseph William Athogias died at Mumbai on 11.06.2024. 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 05.06.2023. 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 who both are petitioners herein. Residuary clause in respect of properties of deceased is mentioned at para No. 5 of the Will.
 3. Ld. Advocate for petitioner submits that parents of deceased predeceased the deceased. Deceased died as bachelor. Deceased was survived by one brother who has given his consent in favour of the petitioner herein. Consent Affidavit is on record. There are no other legal heirs.
 4. Petitioner's oath is filed. Affidavit of Antonio Francis D'sa dated 09.12.2024 one of the Attesting Witness to the Will is filed. Affidavit of Service of General Citation dated 11.12.2025 is filed. 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.

13.02.2026

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**