

**BEFORE : MRS. KAVITA Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 8th January, 2026**

CALLED FOR HEARING :

15 TP/2710/2024 (E-filing)
WITH
WILL/1101/2024

Ms. Raajkunwar Jaywant, 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 Homai Rashid Irani being sole Executor named under the Will of deceased. The deceased namely Banoo Daran Mehta died at Australia on 09.08.2006. Copy of death certificate is annexed to the petition. Identification proof of deceased viz. copy of Passport is annexed to the petition.
2. The deceased left behind her last Will and Testament which was duly executed at Australia on 22.02.1994. The said Will is in English language. The Para No. 1 of the Will refers to the appointment of Executor. Only one Executor appointed under the Will who is petitioner herein. Residuary clause in respect of properties of deceased is mentioned at para No. 3 of the Will.
3. Ld. Advocate for petitioner submits that parents and husband of deceased predeceased the deceased. Deceased was survived by two sons and two daughters. Out of them one daughter is petitioner herein and the another daughter and one son have been served with the citation through newspaper publication and Affidavit dated 28.07.2025 is filed to that effect. Remaining son of deceased namely Minoo Dharan Mehta has been served with the citation through the office of Sheriff, Mumbai and Affidavit of Service dated 25.11.2024 is filed to that effect. There are no other legal heirs.
4. Petitioner's oath is filed. As per para No. 6 of the petition, the original Attesting Witnesses to the Will are not available therefore, Affidavit of Rashid Faridoon Irani is filed as an Affidavit of Attesting Witness dated 10.01.2024 and the same is accepted as per the provisions of Rule 384 of the Bombay High Court (Original Side) Rules, 1980. Affidavit of Service of General Citation dated 08.12.2025 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.

08.01.2026

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**