

**BEFORE : MRS. KAVITA Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 27th March, 2026**

CALLED FOR HEARING :

5 TP/2424/2025 (E-filing)
WITH
WILL/950/2025

Ms. Prajakta Gaonkar i/b. Jariwala Hemang Amar, Advocate for petitioner

- PC :** 1. Perused Petition. Heard Ld. Advocate for petitioner. This petition is for Probate of **last Will and Testament alongwith Codicil** of deceased filed by petitioner namely Percy Bomi Vasunia being Executor named under the Will of deceased. The deceased namely Mehroo Pestonji Vasunia died at Mumbai on 20.12.2024. 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 her last Will and Testament which was duly executed at Mumbai on 03.04.2019 and Codicil was duly executed at Mumbai on 02.05.2022. The said Will and Codicil are in English languages. The Para No.2 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. 6 of the Will.
3. Ld. Advocate for petitioner submits that parents of deceased predeceased the deceased. Deceased died as spinster. As per section 55 of the Indian Succession Act, 1925 deceased is survived by legal heirs mentioned in para No. 9 of the petition. Out of them one nephew is petitioner herein and legal heirs mentioned at Sr. No. 6, 7 and 17 have been served with the citation through newspaper publication and Affidavit of Service of Publication dated 10.02.2026 is filed to that effect. Remaining legal heirs have been served with the citation through the office of Sheriff, Mumbai and Affidavit of Service dated 15.11.2025 is filed to that effect. There are no other legal heirs.
4. Petitioner's oath is filed. Affidavit of Dr. Cyrus Wadia dated 06.03.2025 one of the Attesting Witness to the Will is filed. Affidavits of Shailendra Rawat and Charusheela Mishra dated 06.03.2025 both the Attesting Witnesses to the Codicil are filed. Affidavit of Service of General Citation dated 19.11.2025 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.

27.03.2026

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**