

**BEFORE : MRS. KAVITA Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 10th March, 2026**

CALLED FOR HEARING :

11 TP/2856/2025 (E-filing)
WITH
WILL/1099/2025

Mr. Tarun Shroff, 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 petitioners namely Jaikishin Gobindram Harjani and Rajesh Gobindram Harjani being Executors named under the Will of deceased. The deceased namely Satibai Gobindram Harjani died at Mumbai on 03.06.1995. 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 Mumbai on 11.08.1992. The said Will is in English language. The Para No. 4 of the Will refers to the appointment of Executors. Only three Executors appointed under the Will. Both the petitioners are executors and remaining executor namely Ashok Gobindram Harjani died on 10.06.1995 as per para No. 7 of the petition. 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. One son of deceased namely Prem died leaving behind his widow and one daughter. Another son of deceased namely Ashok died as bachelor and daughter of deceased namely Rekha died on 19.12.1994 as spinster. Deceased was survived by two sons, two daughters, one daughter-in-law and one granddaughter. Out of them both the sons are petitioners herein. The citation were served through the office of Sheriff, Mumbai to the daughter-in-law and granddaughter but the same was returned with the remarks "Unclaimed" as per Affidavit dated 22.09.2025. Both the daughters of deceased have given their consents in favour of the petitioners herein. Consent Affidavits are on record. There are no other legal heirs.

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4. Petitioner's oath is filed. Since both the original Attesting Witnesses are not available and as the petitioner to take efforts to contact them but they failed in their attempt and the same is recorded in the Affidavit of petitioners dated 06.11.2025. Therefore, petitioners have filed the Affidavit of Reema Chugani dated 13.11.2025 who was present at the time of execution of the Will. The same is accepted in compliance of provision of Rule 384 of the Bombay High Court (Original Side) Rules, 1980. Affidavit of Service of General Citation dated 02.12.2025 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.

10.03.2026**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**