

**BEFORE : MRS. KAVITA Y. AMBEKAR ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 23rd April, 2026**

CALLED FOR HEARING :

8 TP/462/2018
WITH
WILL/166/2018

Ms. Rhea Mehta i/b. Ameya Suhas Mahajan, Advocate for petitioner

PC : 1. Perused Petition. Heard Ld. Advocate for petitioner. As per order dated 06.04.2026 passed in IA No. 2807 of 2024 and IA No. 2156 of 2023, the Caveat (L) No. 191 of 2018 has been dismissed and IA No. 2807 of 2024 seeking condonation of delay in filing the Affidavit-in-Support for Caveat was also rejected. Ld. Advocate for petitioner states that IA No. 2156 of 2023 was filed by the petitioner seeking dismissal of Caveat and the same was allowed by an order dated 06.04.2026 therefore, this Registry proceed with the petition.

2. This petition is for Probate of last Will and Testament of deceased filed by petitioner namely Himanshu Harshad Choksi being Executor named under the Will of deceased. The deceased namely Harshad Harilal Choksi died at Mumbai on 25.02.2010. Copy of death certificate is annexed to the petition.

3. The deceased left behind his last Will and Testament which was duly executed at Mumbai on 24.04.1997. The said Will is in English language. The Para No.2 of the Will refers to the appointment of Executors. Only three Executors appointed under the Will. Earlier petitioner namely Shaunak Choksi and he died during the pendency of the petition therefore, another Executor namely Himanshu Choksi joined as petitioner. Remaining Executor namely Dr. Premal Thakore has reserved his rights to act as an Executor and Affidavit dated 10.01.2018 is filed to that effect (at Page No.25 of the petition). Para Nos. 10 and 11 of the Will refers to all the properties of deceased.

4. Ld. Advocate for petitioner submits that parents of deceased predeceased the deceased. Widow of deceased since deceased the deceased. Deceased had two sons. One son of deceased namely Shaunak died during the pendency of the proceeding, who died leaving behind his widow, one son and one daughter. Deceased is survived by one son, one daughter-in-law, one grandson and one granddaughter. Out of them son is petitioner herein. **Consent Affidavits of one daughter-in-law, one grandson and one granddaughter are not filed hence, Advocate to take steps accordingly.** There are no other legal heirs.2

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Caveat (L) No. 191 of 2018 was filed by the Creditor of deceased and the same was finally disposed on 06.04.2026. The properties of the deceased which are vested with the Official Assignee are mentioned in Schedule I (Exhibit - "C"), Schedule – IA (Exhibit – "C-1" and Schedule III.

5. Petitioner's oath is filed. Affidavit of H. J. Bakshi dated 04.01.2018 (page 17) and Rohil Adalja dated 26.11.2017 both the Attesting Witnesses to the Will are filed. Affidavit of Service of General Citation dated 08.05.2018 is filed. Delay is explained and the same is condoned.

6. Liberty to move for listing the matter on compliance of requisition stated in **Bold** hereinabove.

23.04.2026

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**