

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

**CALLED FOR HEARING :**

9 TP/2468/2018  
WITH  
WILL/962/2018

Mr. R. T. Kharwar i/b. Shreyas K. Vyas, 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 Shivadas Nair being Executor named under the Will of deceased. The deceased namely N Devaky Nair died at Mumbai on 23.09.2016. Copy of death certificate is annexed to the petition. Identification proof of deceased viz. copy of Pan Card is annexed to the registered Will.
  2. The deceased left behind her last Will and Testament which was duly executed at Mumbai on 27.02.2013. The said Will is in English language. The Para No.10 of the Will refers to the appointment of Executor. Only one Executor appointed under the Will who is petitioner herein. The Schedule I annexed to the petitioner refers to two immovable properties which are mentioned in the Will.
  3. Ld. Advocate for petitioner submits that parents and husband of deceased predeceased the deceased. Deceased is survived by one son and one daughter. Out of them son had filed Caveat being CTSL No. 24 of 2019 and the same is rejected under Rule 986 by an order dated 30.08.2022 as per the inundation seen in CIS. **Consent Affidavit of daughter of deceased or Affidavit of Service of Citation not filed.** There are no other legal heirs.
  4. Petitioner's oath is filed. Affidavit of Saraswati Narayanan Nair dated 18.08.2018 one of the Attesting Witness to the Will is filed. **Affidavit of Service of General Citation is not filed.** Delay is explained and the same is condoned.
  5. Liberty to move for listing the matter on compliance of requisition stated in Bold hereinabove.

**23.04.2026**

**COMPANY REGISTRAR /  
TESTAMENTARY REGISTRAR**