

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
CHAMBER SUMMONS NO. 1138 OF 2018  
IN  
EXECUTION APPLICATION NO. 2006 OF 2015**

Hari Shankar Singhania (Now deceased) & Ors                      ...Applicants  
*Versus*  
Gaur Hari Singhania (Now deceased) & Ors                      ...Respondents

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**Mr Simil Purohit**, *with Naseem Patrawala, i/b Malvi Ranchoddas & Co., for the Applicants.*  
**Mr Sairam Subramanian**, *i/b M/s. Khaitan & Co., for the Respondents in the Chamber Summons.*  
**Mr Mohan Bir Singh**, *with Rahul Jalon, i/b MBJ & Co., for Respondents Nos. 10 to 13.*

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**CORAM:    G.S. PATEL, J**  
**DATED:     8th October 2018**

**PC:-**

1.     Respondent No. 1 has passed away. Respondent Nos. 2 and 3 are his only heirs. They have an heirship certificate from a Court in Kanpur.
  
2.     The present litigation is part of a series of disputes within the Singhania family. The amount in this case has been crystallized and Rs. 2,52,33,334/- was admittedly the share of the 1st Respondent.

3. The Applicants have sought that this amount be paid to original Respondents Nos. 2 and 3, Sushila and Yadupati, the deceased 1st Respondent's wife and son, without requirement of a grant in some testamentary proceeding. I do not think that there is a need or necessity in these very special circumstances of the formality of a probate or a succession certificate. That might in fact delay matters considerably.
4. The Chamber Summons is allowed in terms of prayer clause (a). No costs.

**(G. S. PATEL, J)**