

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2019

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

O.P.No.591 of 2018

1.Mrs.Uchhab Kanwar

2.Mrs.Shobha Metha

3.Mr.Kiran Kumar.V

4.Mr.Dinesh Kumar

5.Mrs.M.Sangeetha Bafna

6.Mr.Chirayu M.Bafna

7.Mr.Mayank M.Bafna

... Petitioners

For Petitioners: Mr.Rahul K.Jain
for Vikram U Jain

Prayer: Original Petition filed under Section 372 of the Indian Succession Act, 1925 and Order XXV, Rule 6 of the Original Side rules, 1956 praying that Succession Certificate may be granted to the 3rd Petitioner with power to collect the debts and to receive Interest specified in the Schedule hereto.

ORDER

The application has been filed for issuance of succession certificate to the estate of Jawanjee Vastimal, who died on 24.04.2017.

2. The petitioners 1 to 4 are the wife and children of the deceased Jawanjee Vastimal, and the petitioners 5 to 7 are the wife and children of Mr.Mukesh Kumar predeceased son of Mr.Jawanjee Vastimal. The legal heirship certificates of both Mr.Jawanjee Vastimal and Mr.Mukesh Kumar have been produced. They do not show existence of any other legal heirs.

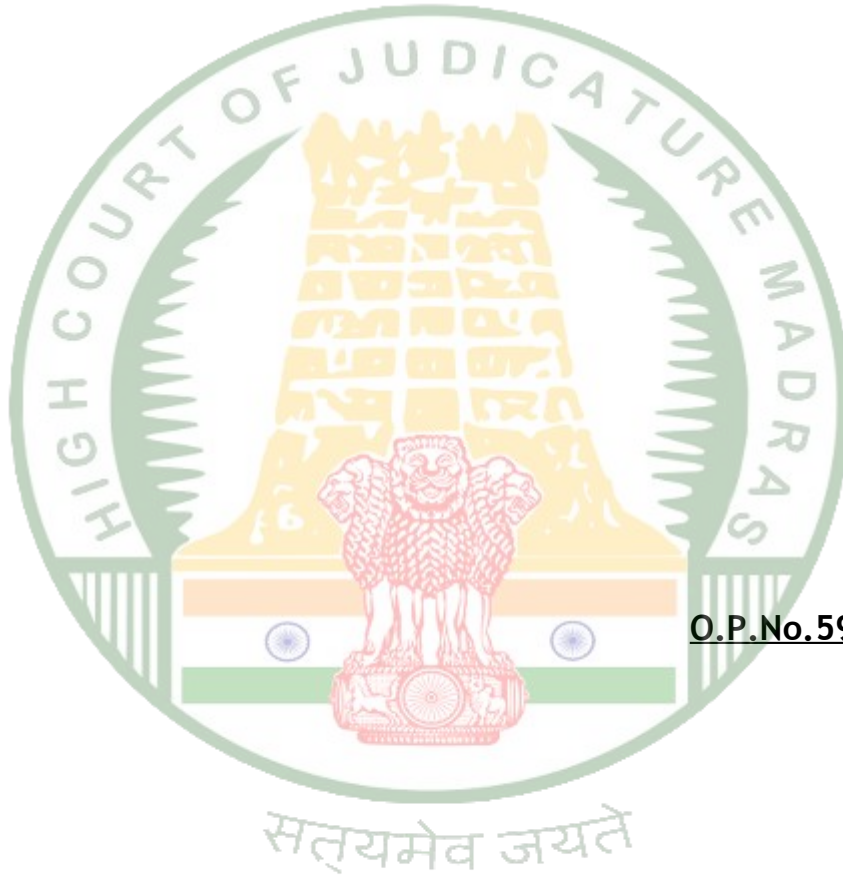
3. The third petitioner Mr.Kiran Kumar has been examined as P.W.1. The death certificates of Mr.Jawanjee Vastimal and Mr.Mukesh Kumar have been filed as Ex.P1 and Ex.P3. The legal heirship certificates have been filed as Ex.P2 and Ex.P4. The consent affidavits of the other legal representatives have been filed as Exs.P9 to Ex.P14.

4. In view of the aforesaid evidence and the fact that all the heirs have consented for issuance of Succession Certificate in favour of the third petitioner, this original Petition is allowed and the Succession Certificate shall be issued in favour of the third petitioner, in respect of securities set out in the schedule to the petition.

14.02.2019

R.SUBRAMANIAN.J.,

jas/jv



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