

Sharayu Khot.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION

INTERIM APPLICATION NO. 347 OF 2022
IN
TESTAMENTARY PETITION NO. 725 OF 2017

Rajnikant Robert Salvi

...Applicant/
Petitioner

And

Vijaya Rajnikant Salvi

...Deceased

Mr. S.U. Lakdawala for the Applicant/Petitioner.

CORAM : R.I. CHAGLA J

DATE : 25 February 2022

ORDER :

1. Heard learned Counsel for the Applicant.
2. By this Interim Application, the Applicant is seeking permission to incorporate certain securities to the original Succession Certificate.
3. The Applicant is the husband of the deceased. The

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Applicant had taken out Petition for Succession Certificate in respect of certain securities belongings to the deceased Vijaya Rajnikant Salvi. The Succession Certificate was granted on 29th July 2017.

4. The Applicant states that after issuance of grant of Succession Certificate, it came to his knowledge that in Sr.No. 1, certain shares/securities were missing to be incorporated i.e. 1160 shares along with distinctive numbers and face value which needs to be incorporated.

5. The other surviving heir being married daughter of the deceased has filed Consent Affidavit dated 13th January 2022. By the Consent Affidavit, she has given her full and free consent in favour of the Petitioner and stated that Succession Certificate in respect of the certain securities belonging to the deceased be granted in favour of the Petitioner without service of any citation/notice upon her and without any sureties being justified in the estate for her share left by the deceased.

6. Having considered the submissions of the learned

Counsel for the Petitioner and averments in the Interim Application, a case is made out for grant of permission to incorporate certain securities in Sr.No. 1 of securities to be added to the original Succession Certificate. Hence the following order :-

- (i) The Applicant is permitted to incorporate in the original Succession Certificate certain shares/securities i.e. 1160 shares along with distinctive numbers and face value as per the draft amendment at Exh.B of the Interim Application along with consequential amendment.
- (ii) Amendment shall be carried out within a period of two weeks from the date of this order.
- (iii) Re-verification is dispensed with.
- (iv) The testamentary department is directed to accept the original grant of Letters of Administration for amendment.

(v) Interim Application is accordingly disposed of in
the above terms.

[R.I. CHAGLA J.]