

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

TESTAMENTARY PETITION NO. 441 OF 2023

Homai Sam Karkaria

...Petitioner

Tehmuras Dinshaw Kapadia

...Deceased

* * *

- Mr. P.G. Sawant, for Petitioner.

* * *

CORAM : MANISH PITALE, J.

DATE : 11th MARCH, 2024.

P. C. :

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1. Not on board. Mentioned by way of *praecipe*.
2. The learned counsel for the petitioner seeks a direction to the department to reseal and reissue the original succession certificate.
3. An affidavit dated 23rd February, 2024, has been e-filed by the petitioner, wherein it is explained that due to ignorance the petitioner while making photocopies of the original succession certificate / grant opened the seal. It is submitted that the succession certificate itself runs into 250 pages concerning shares of the different companies and during the process of photocopying, inadvertently, the seal was broken open.
4. In that light the learned counsel for the petitioner seeks the aforesaid direction.
5. The department is directed to take the affidavit dated 23rd

February, 2024, on record.

6. In the peculiar circumstances of this case, the department is directed to reseal and reissue the original succession certificate to the petitioner.

(MANISH PITALE, J.)