

BEFORE : MRS. R. V. RANE
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
DATE : 23rd September'2024

Sr. No. 18, TP-2377-2024

Ms. Radhika Kulkarni i/b. Mr Dhavle Ketan Arun, Advocate for petitioner.

Called for Compliance:

1. Perused the Petition. Heard Advocate for petitioner. Advocate for petitioner submits that the present petition is for Succession Certificate in respect of certain **Debts** belonging to the deceased viz. Suhas Tanaji Ranjane, who died at Mumbai on 20.10.2017. Copy of death certificate is annexed at Exhibit -'A' to the petition. Copy of the identification proof of the deceased is annexed at Exhibit "B" to the petition.
2. Advocate for petitioner submits that the said deceased ordinarily resided Matunga Labour Camp, 1/12 ward E, Opp. 8/12, Siddharth Nagar – 20 Padpalti, Dharavi, Greater Mumbai 400017.
3. Advocate for petitioner submits that, the said deceased died intestate and that due and diligent search has been made for the Will but none has been found.

4. Advocate for petitioner submits that the legal heirs left behind by the deceased surviving as **his** only heirs next-of-kin according to **Hindu Succession Act, 1956** are mentioned in para no. 4 of the said petition.

5. Advocate for the petitioner submits that the parents of the deceased predeceased the deceased. Deceased died as Bachelor at the time of his death. Advocate for petitioner submits that the deceased left behind his brother viz. Sudhir Tanaji Ranjane, who is petitioner herein. Save and except there are no other legal heirs and next of kind left by the deceased, which is mentioned at para no. 4 of the petition.

6. Advocate for Petitioner submits that the petitioner being the brother of the deceased claim to be and is entitled to entire share each of his estate.

7. Advocate for petitioner submits that, there is no impediment under Section 370 of the Indian Succession Act, 1925 or under any other provision of this Act or any other enactment to the grant of the certificate of the validity thereof if it was granted.

8. Advocate for petitioner submits that no application has been made to any District Court or District Delegate or to any High Court for probate of any Will of the said deceased or for letters of

administration with or without the Will for annexed to their property and credits.

9. Advocate for petitioner submits that no application has been made to any District Court for Succession Certificate in respect of any debt or security belonging to the estate of the deceased.

10. Advocate for the petitioner submits that the delay in making present petition is on account of the fact that petitioner was unaware of obtaining any legal representation. Further the petitioner could not approach this Hon'ble Court for a period between March, 2020 to February, 2022 due to Covid-19 Pandemic. Now petitioner has been advised to obtain a legal representation. Hence this Hon'ble Court in the interest of Justice may condone the delay. In view thereof, delay is condoned.

11. Advocate for the petitioner submits that the General Notice was issued on **03.05.2024** in the aforesaid matter. Advocate for the petitioner submits that Affidavit of Service dated **27.08.2024** for proving General Notice filed through e-filing, The Advocate for petitioner tendered across the bar the Affidavit of Service dated 27.08.2024. The same is taken on record.

“Pursuant to order dated 02.02.2024 passed by Hon'ble Shri Justice Manish Pitale, in Testamentary Petition No. 2918 of 2023, directions was given to the Registry in case of all the surviving legal heirs of the deceased are petitioners before the Court and the right or interest of no other legal heir is required to be protected, the

department shall not insist on furnishing Administration Bond.”

Hence, Administration Bond is dispensed with.

12. This petition is filed for grant of Succession Certificate in respect to the **Debts** which was mentioned in Schedule-1 which is annexed to the petition. The petitioner has complied all the necessary compliance for grant of the Succession Certificate in favor of the petitioner. Hence, facts stated by petitioner, on oath, remained unchallenged and required to be accepted. Accordingly, petition deserves to be allowed, as prayed for. Hence, following order :

ORDER

- 1) Petition is allowed and the Succession Certificate be granted to the petitioner for certain **Debts** left by the deceased and shown in the schedule, in prescribed format.
- 2) Before issuance of the grant, the office to verify whether any cross Petition is pending or Affidavit resisting the petition is filed.

**COMPANY REGISTRAR/
TESTAMENTARY REGISTRAR**

Ajay