

BEFORE : MRS. R. V RANE
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
DATE: 10th JANUARY, 2024

CALLED FOR DIRECTION :

8	TP/34/2024	)	Mr. Akbar Ali Mirza i/b. Kevin Gala, Advocate
		)	for petitioner.
	(ECHCBM021840	)	<u>P.C.:</u> 1. Perused the petition. Heard Ld. Advocate for
	22023)	)	petitioner. This petition is filed for Succession
		)	Certificate in respect of certain Debts belonging
		)	to deceased viz. Mahmood Shahabuddin Parkar
		)	alias Mehmood Shahabuddin Parkar who died at
		)	Kuwait on 25.05.2020. Copy of death certificate
		)	is annexed as Exhibit - 'A' to the petition. Copy of
		)	identification proof of the deceased is annexed
		)	as Exhibit - 'B' to the petition.
		)	
		)	2. Advocate for the petitioner submits that, the
		)	said deceased was temporarily residing at
		)	Kuwait at the time of his death and had a fixed
		)	place of abode at Room No. 33, 2nd Floor,
		)	Bhojabai Trust Building, 76/80, Jail Road, Near
		)	Dipak Beer Bar, Dongri, Chinchbunder, Mumbai-
		)	400 009 and has left property within Greater
		)	Bombay and in the State of Maharashtra.
		)	
		)	3. Advocate for petitioner submits that the legal
		)	heirs left behind the deceased surviving as his
		)	only heirs next-of-kin according to
		)	Mohammedan Act, 1937, the are mentioned in
		)	para no. 4 of the said petition.
		)	
		)	4. Advocate for petitioner submits that the said
		)	deceased died intestate and that due and
		)	diligent search has been made for Will but none
		)	has been found.
		)	

[illegible]

5. The 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 Will annexed to his property and credits or any petition for Succession Certificate.

6. In the aforesaid circumstances, I pass the following order:

ORDER

- a. Office to Issue General Notice within two weeks from the date of uploading of this order.
- b. Advocate for the petitioner to file Affidavit of Service of General Notice and also effect service upon non-consenting legal heirs, if any as per Rules 399 and 400 of the Bombay High Court Original Side Rules and also justify surety of non-consenting legal heirs and furnish Administration Bond within one week thereafter.
- c. Office to verify if any cross petition is filed, if cross petition is filed, then take steps to place before the Hon'ble Court under Rule 407 of High Court Original Side Rules.
- d. List the matter on 13th February, 2024 for compliance.

10.01.2024

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**