

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

CALLED FOR DIRECTION :

11 TP/65/2024) Mr. Manoj Ghadge i/b. Mr. Aniket Ranade,
) Advocate for petitioner.
(ECHCBM021989) P.C.: 1. Perused the petition. Heard Ld. Advocate for
82023) petitioner. Advocate for the petitioner submits
) that, during perusal of the petition it has been
) found that, the legal service dues of the
) deceased with his employer those are the assets
) for which the Succession Certificate is filed are
) not specified and it is mention as Rs. 2000 only.
) Advocate for the petitioner submits that, they
) are not aware of the exact legal dues which as
) due and payable of the deceased hence, they are
) mention some of Rs. 2000. Advocate for the
) petitioner is directed to ascertain the same
) before next date and he has to pay the court fees
) accordingly. On the said under taking the
) petition can be proceeded as head.
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) 2. Advocate for the petitioner submits that, this
) petition is filed for Succession Certificate in
) respect of certain **Debts** belonging to deceased
) viz. Sanju Chabu Gaikwad alias Sanjay Chhabu
) Gaikwad who died at Thane on 21.01.2022.
) 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.
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) 2. Advocate for the petitioner submits that, the
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deceased ordinarily resided at building no. 7, B-1, shop no. - 15 at ground floor, Sanjivani CHS, golibar road, Santacruz (East), Mumbai 400 055, and / or left property within greater Mumbai 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 Hindu Succession Act, 1956 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.

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

The petitioner has to comply the undertakings given with respect to the court fees within two weeks from today.

- a. Office to Issue General Notice within two weeks from the date of uploading of this order.

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- 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