

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

CALLED FOR DIRECTION :

12 TP/69/2024) Mr. Jilesh Sanghavi i/b. Ms. Riddhi Shah,
) Advocate for petitioner.
(ECHCBM021079) **P.C.:** 1. Perused the petition. Heard Ld. Advocate for
42023) petitioner. This petition is filed for Succession
) Certificate in respect of certain Debts and
) Securities belonging to deceased No. 1 viz.
) Mahesh Navnitlal Talati, who died at Mumbai on
) 31.05.2020. Copy of death certificate is annexed
) as Exhibit - 'A' to the petition. Copy of
) identification proof of the deceased is annexed
) as Exhibit - 'A1' to the petition.
)
) Deceased No. 2 viz. Rupa Mahesh Talati, who
) died at Mumbai on 20.04.2021. Copy of death
) certificate is annexed as Exhibit - 'B' to the
) petition. Copy of identification proof of the
) deceased is annexed as Exhibit - 'B1' to the
) petition.
)
) 2. Advocate for the petitioner submits that,
) the said both the deceased ordinarily resided at
) Flat No.4, Hari Niwas CHS Ltd., Kasturba Road
) No.4, Borivali East Mumbai-400066 and left
) properties in the State of Maharashtra and
) elsewhere in India.
)
) 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.
)
)

[illegible]

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 will 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**