

BEFORE : MRS. R. V. RANE
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
DATE : 11th January'2024

Sr. No. 8 - TP 122 of 2024
(ECHCBM02179222023)

Mr. Sudhir Yadav, Advocate i/b. Manoj Mane for the petitioner.

Called for direction

1. Perused Petition. Heard Ld. Advocate for petitioner. This petition is for Succession Certificate in respect of certain **debts** and **securities** belonging to the deceased (1) viz. Gurbakhshind Singh Bains S/o. Gurbans Singh Bains, who died at **Mumbai** on 30.09.2012. Copy of death certificate is annexed at Exhibit- A to the petition. Copy of the identification proof of the deceased is annexed at Exhibit - A1. And deceased (2) viz. AmerjeetKaurBains W/o Gurbakhsind Singh Bains, who died at **Mumbai** on 18.05.2018. Copy of death certificate is annexed at Exhibit- B to the petition. Copy of the identification proof of the deceased is annexed at Exhibit -B1.

2. Advocate for petitioner submits that the said deceased ordinarily resided at No. R/21/B- 605, Mukti Resedency, Near by ICICI Bank, Tilak Nagar, Chembur, Mumbai- 400 089 and the said the deceased No.2 ordinarily resided at 702/ A-2, Sapphire Building, Neelkanth Regent, R. N. Narkar Marg, Pant Nagar, Ghatkopar (East), Mumbai- 400 075 and both the deceased left property within Greater Mumbai and in the State of Maharashtra.

3. Advocate for petitioner submits that the legal heirs left behind the deceased surviving as **their** 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. 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. **Petition expedited.**
- 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 14.02.2024 for compliance.

ksa/rvr

**COMPANY REGISTRAR/
TESTAMENTARY REGISTRAR**