

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

Sr. No. 22 - TP 195 of 2024

(ECHCBM02165832023)

None for the petitioner.

Called for direction

1. Perused Petition. This petition is for Succession Certificate in respect of certain **securities** belonging to the deceased (1) viz. Bhalachandra Bhaskar Gupte , who died at **Mumbai** on 24.07.1994. Copy of death certificate is annexed at Exhibit- "A" to the petition.

Deceased No. (2) viz. Shailaja Bhalachandra Gupte, who died at **Mumbai** on 29.07.2001. Copy of death certificate is annexed at Exhibit- "B" to the petition.

Deceased No. (3) Dhananjay Bhalachandra Gupte who died at **Mumbai** on 02.08.1998. Copy of death certificate is annexed at Exhibit- "C" to the petition.

Upon perusal of the petition it has observed that Identification proof of the all deceased is not annexed to the petition. Advocate for petitioner is directed to annex Identification proof of all deceased or Affidavit of Identification proof of the all deceased if identification proof of the deceased is not available. Advocate for petitioner has to make Averment into the petition with respect to the same before the next date.

2. Upon perusal of the petition the Deceased No. 1 and 2 ordinarily resided at 103, Sai Prasad, Jay Prakash Nagar, Road No. 3, Goregaon East, Mumbai — 400 063.

Upon perusal of the petition Deceased No. 3 ordinarily resided at 103, Sai Prasad, 15, Jay Prakash Nagar, Goregaon East Mumbai 400 063 and left property, in the State of Maharashtra and elsewhere in India.

3. Upon looking to the schedule of Next-of-kin, it is noticed 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. Upon perusal of the petition, it is noticed that the said deceased died intestate and that due and diligent search has been made for Will but none has been found.

5. Upon perusal of the petition, it is noticed 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 after two weeks from the date of uploading of 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 14.02.2024 for compliance.

ksa/rvr

**COMPANY REGISTRAR/
TESTAMENTARY REGISTRAR**

