

BEFORE : MRS. R. V. RANE
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
DATE: 29th JANUARY, 2024

CALLED FOR DIRECTION :

2 TP/203/2024)
)
 (ECHCBM021629)
 82023))

Ms. Sushma Bhende, Advocate for the petitioner.

P.C.:

1. Perused the petition. Heard Ld. Advocate for the petitioner. This petition is for Succession Certificate in respect of certain **Securities** belonging to the deceased No. 1 viz. Madhusudan Yashwant More who died at Mumbai on 30.12.2016. Copy of death certificate is annexed as Exhibit- 'A' to the petition.

Deceased No. 2 Kusum Madhusudan More died at Mumbai on 26.10.2015. Copy of death certificate is annexed as Exhibit - 'B' to the petition.

Advocate for petitioner submits that since identification proof of the deceased is not available. Hence, Advocate for petitioner undertakes to file Affidavit of identification proof of the deceased. The said request is accepted. The Advocate for the petitioner is allowed to file Affidavit of identification proof of the deceased.

2. Advocate for the petitioner submits that, both the said deceased ordinarily resided at 177/D, New Rangari Chawl, Jari Mari Mandir Marg, Bandra (West), Mumbai 400 050 and 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 Hindu Succession Act, 1956 are mentioned in para no. 5 of the said petition.

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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 28th March, 2024 for compliance.

29.01.2024

COMPANY REGISTRAR /
 TESTAMENTARY REGISTRAR

