

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

CALLED FOR DIRECTION :

5 TP/224/2024)
)
(ECHCBM021097)
82023))

Ms. Shagufa Ansari, 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 Amina Mohammed Sayed who died at Mumbai on 09.01.2023. 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.

2. Advocate for the petitioner submits that at the time of her death was a permanent resident of Mumbai residing at 602, 6th Floor, Afzal CHS, Dr A Nair road, Opp Reserve Bank of India, Mumbai Central, Mumbai 400 088. However, Amina Mohammed Sayed died intestate at Appaseth thorat Hospital, Navghar, Vasai Road (W), Vasai Palghar : 401202.

3. Advocate for petitioner submits that the legal heirs left behind the deceased surviving as his only heirs next-of-kin according to Shariat Act, 1937 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

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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. Advocate for the petitioner submits that, petitioner no. 2 is suffering from the cancer and he is 60 years old and petitioner No. 1 is 64 years old. Advocate for the petitioner submits that, the General Notice as well as the petition may be expedited in the present case. The said request is accepted

7. In the aforesaid circumstances, I pass the following order:

ORDER

- a. **Petition expedited.** Office to Issue General Notice **expeditiously** 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 22nd February, 2024 for compliance.

29.01.2024

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**

