

BEFORE : MRS. R. V. RANE
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
DATE: 07th FEBRUARY, 2024

FIRST ON BOARD :

14	TP/421/2024	)	Ms. Sheetal Shah i/b. Mehta & Girdharlal,
		)	Advocate for petitioner.
	(ECHCBM021851	)	P.C.: 1. Perused Petition. Heard Ld. Advocate for
	42023)	)	petitioner. Advocate for the petitioner submits
		)	that death certificate of the deceased was not
		)	available and the office has raised query for the
		)	same. By order dated 18.01.2024 (CORAM :
		)	MANISH PITALE J.) the said objection is waived.
		)	Hence, the petition can be proceeded ahead.
		)	
		)	2. Advocate for the petitioner submits that this
		)	petition is for Succession Certificate in respect of
		)	certain Securities belonging to the deceased viz.
		)	Hussain Baksh alias Husain Buksh, who died at
		)	Mumbai on 23.06.1949.
		)	
		)	3. Advocate for the petitioner submits that the
		)	the said Deceased, had no fixed place of
		)	residence however at the time of his death he
		)	resided at H No 956, Gali Tota Maina Tilak
		)	Bazar, Chandni Chowk, Delhi 110 006. He died
		)	in Delhi, however left property in Mumbai, State
		)	of Maharashtra and elsewhere in India.
		)	
		)	4. Advocate for petitioner submits that the
		)	legal heirs left behind the deceased surviving as
		)	his only heirs next-of-kin according to
		)	Mohammedan Law applicable to Sunni Muslims
		)	are mentioned in para no. 4 of the said petition.
		)	
		)	5. 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.

CONTD.

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[illegible]

6. 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 with or without Will annexed to his property and credits or any petition for Succession Certificate.

7. 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 February, 2024 for compliance.

07.02.2024

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**