

BEFORE : P. P. BHAIKAR
I/C. COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
DATE : 1st March'2024.

Sr. No. 4 – TP 658 of 2024
(ECHCBM02040432023)

Ms. Swati Mathkar, Advocate for the petitioner.

Called for direction

1. Perused Petition. Heard Ld. Advocate for petitioner. This petition is for Succession Certificate in respect of certain **Securities** belonging to the deceased viz. Manthan Sunil Rane, who died at **Mumbai** on 04.01.2023. Copy of death certificate is annexed at Exhibit- A to the petition. Copy of the identification proof of the deceased is annexed as Exhibit "A1" to the petition.

2. Advocate for the petitioner submits that both the deceased ordinarily resided at Flat No. 901, Vraj Residency, Bhardawadi, V.L.S. Marg, Andheri (West), Mumbai - 400 058, and left property within Greater Mumbai and in the State of Maharashtra.

3. Advocate for petitioner submits that both 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. Advocate for petitioner submits that both the 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 with 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.

Advocate for the petitioner submits that the petitioner is sole class I legal heir. Hence Administration Bond may be dispensed with.

Pursuant to order dated 28.02.2023 passed by Hon'ble Shri Justice Arif S. Doctor, in Testamentary Petition No. 2556 of 2022 and Testamentary Petition No. 2559 of 2022 directions were given to the Registry, in all matters for Letters of Administration and Succession Certificate, whenever there is sole legal heir, who is Class -I legal heir, Registry is directed to not to insist for filing/furnishing of Administration Bond. Hence, as per direction of the Hon'ble Court filing of Administration Bond is dispensed with for the sole class I legal heir.

- 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 05.04.2024 for compliance.

**I/c. COMPANY REGISTRAR/
TESTAMENTARY REGISTRAR**