

BEFORE : MRS. R. V. RANE  
COMPANY REGISTRAR /  
TESTAMENTARY REGISTRAR  
DATE: 06<sup>th</sup> APRIL, 2024

**CALLED FOR DIRECTION :**

6 TP/818/2024 ) Mr. Trupti Narkar i/b. Adv. Xavier Fernando,  
) Advocate for petitioner.  
) **P.C.:** 1. Perused Petition. Heard Ld. Advocate for  
) petitioner. This petition is for Succession  
) Certificate in respect of certain **Securities**  
) belonging to the deceased viz. Anita  
) Madhusudan Oak, who died at Dobivali, Thane  
) on 01.05.2021. Copy of death certificate is  
) annexed at Exhibit- 'A' to the petition. Copy of  
) Identification proof of deceased are already  
) annexed at Exhibit- 'A-1' and Exhibit - 'B' to the  
) petition.  
)  
) 2. Advocate for petitioner submits that the  
) said deceased at the time of her death had fixed  
) place of abode at 3, Ramesh Niwas  
) Shrikhandewadi, Near Akshay Hospital,  
) Dombivali (East), District: Thane – 421201 and  
) left behind property within Greater Bombay or  
) in the State of Maharashtra.  
)  
) 3. ***"The Hon'ble Court (CORAM : Hon'ble Shri  
Manish Pitale J.) on 29<sup>th</sup> September, 2023  
passed direction in TP No. 233 of 2022 in  
which the Hon'ble Court decided the issue of  
jurisdiction under Section 371 of Indian  
Succession Act and decided the jurisdiction of  
this Hon'ble Court. In view of the order dated  
29<sup>th</sup> September, 2023, the present petition  
proceed further."***  
)  
) 4. Advocate for petitioner submits that the  
) legal heirs left behind the deceased surviving as  
) her only heirs next-of-kin according to Hindu  
) Succession Act, 1956 are mentioned in para no.  
) 4 of the said petition. .... 2

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TP/818/2024

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.

6. 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 12.06.2024 for compliance.

06.04.2024

**COMPANY REGISTRAR /  
TESTAMENTARY REGISTRAR**