

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

**CALLED FOR DIRECTION :**

|               |             |   |                                                                 |
|---------------|-------------|---|-----------------------------------------------------------------|
| 2             | TP/808/2024 | ) | Ms. Dhara i/b. Adv. Sameer R. Logade,                           |
|               |             | ) | Advocate for petitioner.                                        |
|               |             | ) |                                                                 |
| (ECHCBM020160 |             | ) | <b><u>P.C.:</u></b> 1. Perused Petition. Heard Ld. Advocate for |
| 42024)        |             | ) | petitioner. This petition is for Succession                     |
|               |             | ) | Certificate in respect of certain <b>Securities</b>             |
|               |             | ) | belonging to the Deceased no. (1) viz. Narayan                  |
|               |             | ) | Shankar Apte, who died at Ratnagiri on                          |
|               |             | ) | 11.10.2005. Copy of death certificate is                        |
|               |             | ) | annexed at Exhibit- 'A' to the petition. Copy of                |
|               |             | ) | Identification proof of deceased is already                     |
|               |             | ) | annexed at Exhibit- 'B' to the petition.                        |
|               |             | ) |                                                                 |
|               |             | ) | Deceased no. (2) viz. Usha Narayan Apte,                        |
|               |             | ) | who died at Mumbai on 01.01.1996. Copy of                       |
|               |             | ) | death certificate is annexed at Exhibit- 'C' to the             |
|               |             | ) | petition. Copy of Identification proof of                       |
|               |             | ) | deceased is already annexed at Exhibit- 'D' to                  |
|               |             | ) | the petition.                                                   |
|               |             | ) |                                                                 |
|               |             | ) | 2. Advocate for petitioner submits that the                     |
|               |             | ) | deceased, Narayan Shankar Apte, died at Tilak                   |
|               |             | ) | Ali Sherenaka, Ratnagiri but ordinarily resided                 |
|               |             | ) | at Flat No. 11, Building No. 8, Samarth Nagar,                  |
|               |             | ) | V. N. Purav Marg, Chunabhatti (East), Mumbai                    |
|               |             | ) | — 400022 and the deceased, Usha Narayan                         |
|               |             | ) | Apte ordinarily 'resided at 8/1 1, Samarth                      |
|               |             | ) | Nagar, Chunabhatti, Sion, Mumbai — 400022                       |
|               |             | ) | and/or both left certain Securities within                      |
|               |             | ) | Greater Bombay.                                                 |
|               |             | ) |                                                                 |
|               |             | ) | 3. Advocate for petitioner submits that the                     |
|               |             | ) | legal heirs left behind the deceased surviving as               |
|               |             | ) | their only heirs next-of-kin according to Hindu                 |
|               |             | ) | Succession Act, 1956 are mentioned in para no.                  |
|               |             | ) | 5 of the said petition.                                         |
|               |             | ) | ..... 2                                                         |

CONTD. )

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2 TP/808/2024 )

(ECHCBM020160 )

42024) )

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 both 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 12.06.2024 for compliance.

06.04.2024

COMPANY REGISTRAR /  
TESTAMENTARY REGISTRAR