

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

CALLED FOR DIRECTION :

7 TP/830/2024) Mr. Deepak i/b. Mr. Ajit Hodage, Advocate for
) petitioner.
)
(ECHCBM02008) **P.C.:** 1. Perused Petition. Heard Ld. Advocate for
352024) petitioner. This petition is for Succession Certificate in
) respect of certain debts belonging to the deceased viz.
) Ananta Kisan Kumatkar alias Ananta Kisan Kumatakar
) alias Aananta Kumatkar alias Ananta K. Kumatkar
) alias Ananta Kumatka, who died at Mumbai on
) 10.09.2021. Copy of death certificate is annexed at
) Exhibit- 'A' to the petition. Copy of Identification proof
) of deceased is already annexed at Exhibit- 'A-1' to the
) petition.
)
) 2. Advocate for petitioner submits that the said
) deceased ordinarily resided at Room No.2, Namdev
) Gaikakwad Chawl, Near Rupadevi Mandir, Kajuwadi,
) Thane -West, Thane, Maharashtra - 400604 and left
) his property within the Greater Mumbai and in the
) State of Maharashtra.
)
) 3. ***"The Hon'ble Court (CORAM : Hon'ble Shri
Manish Pitale J.) on 29th 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 29th September, 2023, the present petition
proceed further."***
)
) 4. Advocate for petitioner submits that 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.
)
) 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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352024)

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 will 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**