

BEFORE : MRS. R. V. RANE
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
DATE: 03rd May, 2024

CALLED FOR DIRECTION :

58 TP/2136/2024)
(ECHCBM020407)
62024))

Shri. M. A. Dhorajiwala i/b Moin 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. ABBAS
MOHAMMED BEBAL who died at Mumbai on
15.02.2018. 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 and A-2' to the petition.
2. Advocate for petitioner submits that the
said deceased was ordinarily resided at Mumbai
at Room No. 27/28, 4th Floor, 138 Zakaria
Masjid Street, Mumbai - 400 009, and left
property within Greater Bombay and in the
State of Maharashtra.
3. Advocate for petitioner submits that the
legal heirs left behind the deceased surviving as
his only heirs next-of-kin according to
Mohammedan Law according to Sunni Muslim
are mentioned in para no. 4 of the said petition.
4. 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.

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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 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 08.07.2024 for compliance.

03.05.2024

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**