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

CALLED FOR DIRECTION :

98 TP/2396/2024 (ECHCBM02224142023)

Ms. Jyoti Badgujar i/b S U Lakdawala Advocate for petitioner.

P.C.: 1. Perused Petition. Heard Ld. Advocate for petitioner. This petition is for Succession Certificate in respect of certain **Securities and Debts** belonging to the deceased viz. Gaitri Nanik Sainani alias Gaitri Sainani alias Gaitri N. Sainani who died at Mumbai on 17.10.2004. 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.

2. Advocate for petitioner submits that the said deceased 1703-B, Eternia, Hiranandani Gardens, Powai, Mumbai - 400 076 and left property within Greater Mumbai in the State of Maharashtra and elsewhere in India.

3. 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.

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 10.07.2024 for compliance.

03.05.2024

COMPANY REGISTRAR / TESTAMENTARY REGISTRAR