

BEFORE : MRS. R. V. RANE
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
DATE : 15th June'2024.

Sr. No. - 54 TP/2819/2024
(ECHCBM02197592023)

Mr. V. D. Chandane, Advocate i/b. Sid Desai for petitioner

Called for direction :

1. Perused the Petition. Heard Advocate for petitioner. Advocate for petitioner submits that the present petition is for Succession Certificate in respect of certain **debts** belonging to the deceased viz. Babu Jairam Bahirahi, who died at Mumbai on 13.10.1970. Copy of death certificate is annexed at Exhibit -'A' to the petition. Copy of the Affidavit for dispensation identification proof of the deceased is not annexed at Exhibit "B" to the petition.

Advocate for the petitioner is directed to annex affidavit of the petitioner for dispensation of identification proof of the deceased.

2. Advocate for petitioner submits that both the said deceased ordinarily resided at B. I . T Chawl No. 4, /126, Chandanwadi, Mumbai - 400002, at the time of his death and has left property within Greater Bombay and elsewhere in India.

3. Advocate for petitioner submits that the said deceased died intestate and that due and diligent search has been made for the Will but none has been found.

4. Advocate for petitioner submits that the legal heirs left behind by both 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 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.
- 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 22.07.2024 for compliance.

ksa/rvr

**COMPANY REGISTRAR/
TESTAMENTARY REGISTRAR**