

**BEFORE : MRS. R. V. RANE
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
DATE : 18th September'2024.**

Sr. No. 21 -TP/3026/2024
(ECHCBM02065782024)

Mr. Waquar Ahmed, Advocate i/b. Ajit Shrikhande for petitioner.

For Compliance

1. Perused the Petition. Heard Advocate for petitioner. Advocate for petitioner submits that the present petition is for Succession Certificate in respect of certain **Securities** belonging to the deceased viz. Wadhuram Premsingh Ahuja alias Wadhuram Ahuja alias Mr. Wadhuram Premsingh Ahuja who died at Mumbai on 10.09.2002. Copy of death certificate is annexed at Exhibit -'A' to the petition. Copy of the identification proof of the deceased is annexed at Exhibit "A1" to the petition.

2. Advocate for petitioner submits that the said deceased ordinarily resided at Flat No.5, Hamrahi Bldg., 15th Road, TPS III, Bandra (West), Mumbai 400 050, and property within Greater Bombay and in the State of Maharashtra.

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 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 the petitioner submits that the parents of the deceased predeceased the deceased. The wife of the deceased Jankibai Wadhuram Ahuja died on 28.10.1993.

Advocate for petitioner submits that the deceased left behind him son and daughter and granddaughters viz. (1) Shakuntala Naraindas Makhija (daughter of the deceased) who died on 27.06.2009 leaving behind her (1a) Mukta Kailash Narang (Granddaughter of the deceased/daughter of deceased daughter), (1b) Prem Prakash Makhija (grandson of the deceased/ son of deceased daughter), (1c) Archana Sharma (granddaughter of the deceased/daughter of deceased daughter),

(2) Amarlal Wadhuram Ahuja (son of the deceased) died on 10.2.1999 leaving behind him (2a) Hema Amarlal Ahuja (daughter in law of the deceased/wife of deceased son), (2b) Girish Amarlal Ahuja (grandson of the deceased/son of deceased son/petitioner herein), (2c) Divya Manoj Hemdev (granddaughter of the deceased/daughter of deceased son).

(3) Ramla Ladharam Chawala (daughter of the deceased).

(4) Srichand Wadhuram Ahuja (son of the deceased).

- (5) Ramabai Manoharlal Gaba (daughter of the deceased).
- (6) Manju Arjandas Jaisingh (daughter of the deceased),
- (7) Pooja Beni Kukreja (daughter of the deceased) died on 02.05.2017 leaving behind her (7a) Mehek Sachdeva (granddaughter of the deceased). Save and except there are no other legal heirs and next of kind left by the deceased, which is mentioned at para no. 4 of the petition.

Advocate for petitioner submits that Mukta Kailash Narang, Prem Prakash Makhija, Archana Sharma, Hema Amarlal Ahuja, Divya Manoj Hemdev, Ramla Ladharam Chawla, Srichand Wadhuram Ahuja, Ramabai Manoharlal Gaba, Manju Arjandas Jaisingh and Mehek Sachdeva had given their consent for issuance of succession certificate in favour of Girish Amarlal Ahuja.

The consent affidavits are annexed as page no. 21 to 32. The consent affidavits of Ramabai Manoharlal Gaba Prem Prakash Makhija, Divya Manoj Hemdev, Mukta Kailash Narang Archana Sharma, Ramla Ladharam Chawla Mehek Sachdeva are annexed separately to the petition.

6. Advocate for Petitioner submits that being the **grandson** of deceased claims to be entitled for **1/21** share in the estate left by the deceased.

7. Advocate for petitioner submits that, there is no impediment under Section 370 of the Indian Succession Act, 1925 or under any other provision of this Act or any

other enactment to the grant of the certificate of the validity thereof if it was granted.

8. 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 with or without the Will for annexed to their property and credits.

9. Advocate for petitioner submits that no application has been made to any District Court for Succession Certificate in respect of any debt or security belonging to the estate of the deceased.

10. Advocate for the petitioner submits that there is delay of filing this petition be condoned as the concerned authorities asked for legal representation to transfer the property in favour of the Legal heirs. In view thereof, delay is condoned.

11. Advocate for the petitioner submits that the General Notice was issued on **26.07.2024** in the aforesaid matter. Advocate for the petitioner submits that Affidavit of Service dated **08.08.2024** for proving General Notice filed through e-filing and Administration Bond dated **01.08.2024** also filed through e-filing.

12. This petition is filed for grant of Succession Certificate in respect to the **securities** which was mentioned in Schedule-1 which is annexed to the petition. The petitioner has complied all the necessary compliance for grant of the Succession Certificate in favor of the petitioner. Hence, facts stated by petitioner, on oath, remained unchallenged and required to be accepted. Accordingly, petition deserves to be allowed, as prayed for. Hence, following order :

ORDER

- 1) Petition is allowed and the Succession Certificate be granted to the petitioner for certain **securities** left by the deceased and shown in the schedule, in prescribed format.
- 2) Before issuance of the grant, the office to verify whether any cross Petition is pending or Affidavit resisting the petition is filed.
- 3) The petitioner to file an account as undertaken in the Administration Bond within stipulated period. Necessary endorsement be made on the Administration Bond, subject to satisfaction of the Department.

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**