

BEFORE : MRS. R. V. RANE
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
DATE : 19th September'2024

Sr. No. 22 - TP/3296/2024
(ECHCBM02076452024)

Called for Compliance

1. Perused Petition. Heard Ld. Advocate for petitioner. This petition is for Succession Certificate in respect of certain **Securities** belonging to the deceased viz. Anand Atmaram Sanzgiri, who died at Mumbai on 23.08.2008. 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 the said deceased was ordinarily resided at Mumbai at Block No.1, Ground Floor, Dharma Niwas, Tardeo Road, Grant Road, Mumbai - 400 007, and left 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 father and mother of the deceased predeceased the deceased. The wife of the deceased viz. Anjali Anand Sanzgiri died on 31.03.2015. Advocate for petitioner submits that the deceased left behind him two sons and one Married daughter viz. Anirudha Anand Sanzgiri (Son of the deceased), Anita Rabindranath Rao (Married Daughter of the deceased/ petitioner) and Ashwin Anand Sanzgiri (son 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 both sons viz. Anirudha Anand Sanzgiri and Ashwin Anand Sanzgiri had given their consent for issuance of succession certificate in favour of petitioner viz. Anita Rabindranath Rao.

The consent affidavits are annexed as page no. 17-24 to the petition.

6. Advocate for Petitioner submits that the petitioner as daughter of the deceased claims to be entitled to 1/3rd share of the estate of 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 The Petitioner was not aware that the Succession Certificate is required to be obtained, for transfer of the said shares from the name of the deceased to the names of his legal heirs and next-of-kin. Hence, there is a delay in applying for the Succession Certificate. The Petitioner submits that the reason mentioned herein above the delay in filing the Petition for Succession Certificate may be condoned. 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 **20.08.2024** for proving General Notice filed through e-filing and Administration Bond dated **29.08.2024** 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**

Ajay