

BEFORE : MRS. R.V. RANE
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
DATE : 26th July'2024

Sr. No. 105 -TP/3623/2024

(ECHCBM02124402024)

Mr. Ajit Hodage, Advocate for the petitioner.

Called for Direction :

1. Perused Petition. Heard Ld. Advocate for petitioner. This petition is for Succession Certificate in respect of certain **securities** belonging to the deceased viz. Paul

Mathias Peter Anthony Fernandes alias Paul Fernandes alias Paul Mathias Fernandes alias Paul Peter Fernandes alias Fernandes Mathias Igjdius alias Fernandes Anthony Paul Ezcdore alias Fernandes Anthony Paulczedore who died at Mumbai on 17.08.2022. Copy of death certificate is annexed at Exhibit- A to the petition. Copy of Identification proof of deceased is already annexed at Exhibit-A1 to the petition.

2. Advocate for the petitioner submits that the deceased ordinarily resided at Room No.40, Hawabai Bldg., 2nd Floor, Jail Road, North Dongri, Greater Mumbai, Mahnrnshtn -400 009nnd lctl his property within the Greater Mumbai. 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.

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 11.09.2024 for compliance.

**COMPANY REGISTRAR/
TESTAMENTARY REGISTRAR**