

BEFORE : MRS. R.V. RANE
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
DATE : 5th October'2024.

Sr. No. 20-TP/4391/2024
(AMH20240129954C202400007)

Mr. S. U. Lakdawala, Advocate for the petitioner.

Called for direction

1. Perused Petition. This petition is for Succession Certificate in respect of certain **debts** belonging to the deceased no. (1) viz. Irene Menezes alias Menezes Irene Harriet wife of Stanislaus Menezes alias Menezes Irene wife of Stanislaus Menezes who died at **Mumbai** on 14.08.2019. Copy of death certificate is annexed at Exhibit- A to the petition. Copy of Identification proof of deceased is annexed at Exhibit-B to the petition. And deceased no. (2) Stanislaus Menezes alias Stanislaus Menezes son of Piadad Menezes alias Menezes Stanislaus who died at **Mumbai** on 04.01.2022. Copy of death certificate is annexed at Exhibit- C to the petition. Copy of Identification proof of deceased is annexed at Exhibit-D to the petition.

2. Advocate for the petitioner submits that both the deceased ordinarily resided at at B-5 Mt. Nirmala Colony, St. John Baptist Road, Bandra (West), Mumbai – 400 050 and/ or left property within Greater Bombay.

3. Advocate for the petitioner submits that the legal heirs left behind by both the deceased surviving as their only heirs next-of-kin according to Indian Succession Act, 1925 are mentioned in para no. 4 of the said petition.

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

5. Advocate for the 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 after two weeks from the date of uploading of 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 11.11.2024 for compliance.

**COMPANY REGISTRAR/
TESTAMENTARY REGISTRAR**