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

Sr. No. 30-TP/4494/2024
(AMH20210053261C202400020)
Ms. Seema Hunnurkar, Advocate for the petitioner.

Called for direction

1. Perused Petition. This petition is for Succession Certificate in respect of certain securities belonging to the deceased no. (1) viz. Ambalal Bechardas Patel alias Ambalal Becharbhai Patel alias Ambalal alias Ambalal B Patel alias Ambalal Bacharbhai Patel alias Ambalal Becharbai Patel alias Ambalal Bahecharbhai Patel alias Ambalal Bahecharbhai Patel who died at Gujarat on 31.01.2000. Copy of death certificate is annexed at Exhibit- A to the petition. Copy of Identification proof of deceased is annexed at Exhibit-A1 to the petition. And deceased no.(2) viz. Maniben Ambalal Patel alias Ben Maniben Ambalal Patel alias Manibhai Ambalal Patel alias Maniben who died at Gujarat on 16.12.2005. Copy of death certificate is annexed at Exhibit- B to the petition. Copy of Identification proof of deceased is annexed at Exhibit-B1 to the petition.

2. Advocate for the petitioner submits that the deceased ordinarily resided at 37, Navjivan Society, West Mehmadbad Kheda, Mehmadbad Gujarat - 387130 and/or left property within Greater Bombay, in the State of Maharashtra.

3. Advocate for the petitioner submits that the legal heirs left behind 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.

4. Advocate for the 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 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 13.11.2024 for compliance.

COMPANY REGISTRAR/
TESTAMENTARY REGISTRAR