

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

Sr. No. - 40-TP/5592/2024
(AMH20230026931C202400011)

Mr. Kevin Gala, Advocate for the petitioner.

Called for direction :

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 no. (1) viz. Shantilal Ravji Shah alias Shantilal Rawji Shah who died at Mumbai on 17.07.1997. Copy of death certificate is annexed at Exhibit -'A' to the petition. Copy of the identification proof of deceased no. 1 is annexed a Exhibit "B" to the petition. And deceased no. (2) viz. Sushila Shantilal Shah alias Sushilaben Shantilal Shah who died at Mumbai on 03.06.1995. Copy of death certificate is annexed at Exhibit -'A1' to the petition. Copy of the identification proof of deceased no. 2 is annexed a Exhibit "B1" to the petition.

2. Advocate for petitioner submits that the said deceased no. 1 ordinarily resided at 111, C-Wing, Om Shradha CHSL, Jairaj Nagar, Borivali West, Mumbai- 400 091 and left property throughout India and left property within Greater Bombay and elsewhere in India.

Advocate for petitioner submits that the said deceased no. 2 ordinarily resided at Gohil Mansion, Room No. 20, Shantilal Modi Road, Kandivali West, Mumbai- 400 067 and left property within Greater Bombay and elsewhere in India.

3. Advocate for petitioner submits that both 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 both the deceased surviving as **their** only heirs next-of-kin according to **Hindu Succession Act, 1956** are mentioned in para no. 4 of the said petition.
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 four 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 03.02.2025 for compliance.

ksa/rvr

**COMPANY REGISTRAR/
TESTAMENTARY REGISTRAR**