

**BEFORE : MRS. R. V. RANE ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 17th February, 2025**

CALLED FOR COMPLIANCE :

30 TP/1109/2024

Ms. Darshana Manjarekar i/b. Naresh Pai, Advocate for petitioner

PC : 1. Perused Petition. Heard Ld. Advocate for petitioner. This petition is for Succession Certificate in respect of certain Securities belonging to the deceased No. 1 namely Cawasji N. Patel alias Cavasji N. Patel, who died at Mumbai on 04.10.2011. Copy of death certificate is annexed at Exhibit- 'A1' to the petition.

Deceased No. 2 namely Banubai Cavasji Patel, who died at Mumbai on 01.01.2001. Copy of death certificate is annexed at Exhibit- 'A2' to the petition.

Ld. Advocate for petitioner further submits that identification proof of deceased Nos. 1 and 2 are not annexed to the petition hence, Ld. Advocate for petitioner is directed to annex the identification proof of deceased if the same is available and if identification proof of deceased is not available, she has to file Affidavit of petitioner for dispensation of identification proof of deceased. She will make necessary averment in the petition with respect to the same. The said corrections are allowed. At the request of Ld. Advocate for petitioner, re-verification is dispensed with. Ld. Advocate for petitioner to re-upload the corrected version of the petition.

2. Advocate for petitioner submits that the said deceased at the time of their death had a fixed place of abode at Mumbai, State of Maharashtra and / or left the movable properties in Mumbai, State of Maharashtra.

3. Advocate for petitioner submits that the legal heirs left behind by the deceased surviving as his/her only heirs next-of-kin according to Indian Succession Act, 1925 are mentioned in para No. 6 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.

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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 01.04.2025 for compliance.

17.02.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**