

**Before :Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date 10th February, 2025**

FOR COMPLIANCE:

27. TP/1685/2024 P. Shri. Malcolm Vaz i/b Sanjay Rego Ld. Advocate for the
[Original] C. : Petitioner
(ECHCBM02202712
023)

1) This is a petition for grant of Letters of Administration, under the Provisions of Indian Succession Act, 1925 (for short "IS Act") for the properties left by the deceased, namely (1) SUHAS MEHTA ALIAS SUHAS SURESHCHANDRA MEHTA, w/o Sureshchandra Amritlal Mehta and (2) SURESHCHANDRA AMRITLAL MEHTA ALIAS SURESH MEHTA, s/o Late Mr. Amritlal Mehta and (3) Laila Darshana Mehta d/o Late Mr. Amritlal Mehta (For short "Said deceased"). The petitioner, namely HEEREN PARIMAL BHAI SHAH, s/o of Late Mr. Parimal Shah, has Constituted Attorney of SAURABH S. MEHTA filed documents.

2) I have heard Ld. Advocate. I perused the documents, such as true copy of the death certificate of the deceased, affidavit with document to dispense with requisition of identity proof of the deceased, oath in the prescribed format, affidavit of service citation.

3) Said deceased No. 1 died as a married on 31/07/2013 at Watsung New Jersey, United States, deceased No. 2 died as a widower on 25/10/2015 at Watsung New Jersey, United States, and deceased No. 3 died as a divorcee on 01/12/2022 at South Hollywood Broward County leaving behind them legal heirs, shown in the paragraph No. 4 of the petition. Petitioner states that there are no other legal heirs to the deceased, except heirs shown in the petition. Deceased left properties shown in the schedule-I of the petition. The delay has been explained vide Rule 382 of the Rules.

4) Citation was issued, which has been duly affixed on the Notice Board of the Hon'ble High Court and notice board of the Collector's Office at Mumbai and 14 days have been expired vide Rule 397(1) and (4) of the Bombay High

Court(O.S.) Rules, 1980(for short “BHC Rules”) and an affidavit to that effect has been filed. Notice to collector has been issued vide Rule 396 of BHC Rules. Till today, no one appeared to resist the claim of the petitioner or nothing is brought to the notice regarding pending litigation pertaining to the same properties. Hence, the petition is treated as uncontested one.

5) Petitioner has filed the administration Bond in prescribed form No. 118 with surety.

6) Ld. Advocate for the petitioner submitted that in view of provisions of the Hindu Succession Act, 1956, the petitioner, being being the Constituted Attorney of SAURABH S. MEHTA S/O Sureshchandra A. Mehta (son of Deceased no. 1 and 2 and brother of Deceased no. 3) of the deceased, is entitled to seek a Letters of Administration. Hence, facts stated by petitioner, on oath, remained unchallenged and required to be accepted. Accordingly, petition deserves to be allowed, as prayed for. Hence, following order:

ORDER

- 1) Petition is allowed and the Limited Letters of Administration be granted to the petitioner for properties, left by the deceased and shown in the schedule, in prescribed format as per the provisions of the Indian Succession Act, 1925.
- 2) The petitioner to file an account as under taken in a Petitioner’s Oath within stipulated period.
- 3) Before issuance of the grant, the office to verify that there is no cross Petition is pending or caveat resisting the petition is filed.

10th February, 2025

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with Testamentary Department**