

**BEFORE : MRS. R. V. RANE  
COMPANY REGISTRAR /  
TESTAMENTARY REGISTRAR  
DATE: 15<sup>th</sup> February, 2025**

**CALLED FOR COMPLIANCE :**

**Sr. No. 11 – TP / 22 / 2025 (E-filing)**

Mr. Abhay Gajanan Redij, Advocate for petitioner.

1. Perused Petition. Heard Ld. Advocate for petitioner. Advocate for petitioner is directed to replace the word “Bank Balance” to “Debts” in Cause title and the prayer of the petition. Advocate for petitioner to carry out all consequential corrections forthwith. Re-verification dispensed with. **Advocate for petitioner undertakes to upload the corrected version of the Petition.**

2. This petition is for Succession Certificate in respect of certain Debts and Securities belonging to the deceased no. (1) viz. Shalini Suryanarayan Turme who died at Mumbai on 05.03.2013. Copy of death certificate is annexed at Exhibit- ‘A’ to the petition. Copy of identification proof of the deceased no. 1 is annexed at Exhibit – ‘A-1’ to the petition.

And Deceased no. (2) viz. Suryanarayan Mangesh Turme alias Sooryanarayan Turme alias Suryanarayan Turme, who died at Mumbai on 18.04.2015. Copy of death certificate is annexed at Exhibit- ‘A-2’ to the petition. Copy of identification proof of the deceased no. 2 is annexed at Exhibit – ‘A-3’ to the petition.

3. Advocate for petitioner submits that the both the deceased the time

of their death had a fixed place of abode at Flat No.13, 1<sup>st</sup> floor, TardeoApartments Co-operative Housing Society Limited, 245, Tardeo Road (J.D.Marg), Mumbai 400 007 and left property within Greater Mumbai and in the State of Maharashtra.

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

5. Advocate for petitioner submits that the legal heirs left behind by 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.

6. Advocate for the petitioner submits that parents of the said deceased predeceased the deceased. Deceased was survived by one daughter and one son viz. Aarati Ajit Manelkar Nee Miss Hemalata Sooryanarayan Turme had given her consent for issuance of Succession Certificate in favour of the petitioner viz. Krishnanand Sooryanarayan, who is the son of the deceased. Consent Affidavit of said Aarti is already annexed at page no. 24 to 26 to the petition. Save and except there are no other legal heirs and next of kind left by the deceased, which is mentioned at para no. 5 of the petition.

7. Advocate for Petitioner submits that the petitioner as and being the son of the deceased claims to be entitled to 50% share of the estate of the deceased left by them.

8. Advocate for petitioner submits that, there is no impediment under Section 370 of the Indian Succession Act, 1925 or under any

other provision of this Act or any other enactment to the grant of the certificate of the validity thereof if it was granted.

9. 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 with or without the Will for annexed to their property and credits.

10. Advocate for petitioner submits that no application has been made to any District Court for Succession Certificate in respect of any debt or security belonging to the estate of the deceased.

11. Advocate for the petitioner submits that the General Notice was issued on 09.01.2025 in the aforesaid matter. Advocate for the petitioner submits that Affidavit of Service dated 07.02.2025 is filed by Office of the Deputy Sheriff, Bombay online.

**Advocate for petitioner undertakes to file Administration Bond as per order dated 09.01.2025.**

12. Advocate for petitioner submits that there is approximately 7 years delay in filing the present petition, on account of the fact that, the petitioner was ignorant and unaware of obtaining any legal presentation. As now the Petitioner has been advised by competent authority and their advocate to obtain a legal representation hence, this Hon'ble Court in interest of justice may condone the delay in the above matter. In view thereof, delay is condoned.

13. This petition is filed for grant of Succession Certificate in respect to the **Debts and Securities** which was mentioned in Schedule-1 which is annexed to the petition. The petitioner has complied all the necessary compliance for grant of the Succession Certificate in favor of the petitioner. 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 Succession Certificate be granted to the petitioner for certain **Debts and Securities** left by the deceased and shown in the schedule, in prescribed format.
- 2) Before issuance of the grant, the office to verify whether any cross Petition is pending or Affidavit resisting the petition is filed.
- 3) The petitioner to file an account as undertaken in the Administration Bond within stipulated period. Necessary endorsement be made on the Administration Bond, subject to satisfaction of the Department.
- 4) Office to proceed with Grant as soon as Advocate for petitioner will upload the Corrected version of the petition as well as Administration Bond.

15.02.2025

Ajay

COMPANY REGISTRAR /  
TESTAMENTARY REGISTRAR