

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

CALLED FOR COMPLIANCE :

Sr. No. 15 – TP / 27 / 2025 (E-filing)

Mr. Siddharth Desai i/b. Ms. Darshana Sapkal, Advocate for petitioner.

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) viz. Arvind Shrinivas Sule alias Aravind Shrinivas Sule, who died at Mumbai on 26.05.2005. 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. Meena Arvind Sule, who died at Mumbai on 03.12.2016. Copy of death certificate is annexed at Exhibit- 'B' to the petition. Copy of identification proof of the deceased no. 2 is annexed at Exhibit – 'B-1' to the petition.

2. Advocate for petitioner submits that the both the said deceased No. 1 and 2 resided at the time of their death had fixed place of abode at Flat No. 8, Hill glade Society, TPS III, Pali Road, Bandra (W), Greater Mumbai, Maharashtra- 400050 and left property within limits of Greater Bombay and elsewhere in India.

3. 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.

4. Advocate for petitioner submits that the legal heirs left behind by the deceased no. 1 and 2 surviving as their only heirs next-of-kin according to **Hindu Succession Act, 1956** are mentioned in para no. 5 of the said petition.

5. Advocate for the petitioner submits that parents of the deceased no. 1 and 2 predeceased the deceased no. 1 and 2. Deceased was survived by only two daughters viz. Gauree Manoj Deshpande and Shilpa Sule Chitre. Both deceased no. 1 and 2 had no son no other daughter except mentioned above. Shilpa Sule Chitre (daughter of the deceased) had given her consent in favour of the petitioner viz. Gauree Manoj Deshpande, how is petitioner herein. Consent Affidavit of said Shilpa is annexed at page no. 18-20 to the petition. Save and except there are no other legal heirs and next of kind left by the deceased no. 1 and 2, which is mentioned at para no. 4 of the petition.

6. Advocate for Petitioner submits that the petitioner as the daughter of the deceased no. 1 and 2 claims to be entitled to 1/2 (Half) share in the estate of the deceased no. 1 and 2 abovenamed.

7. 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.

8. 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.

9. 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.

10. 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 22.01.2025 for proving General Notice filed through e-filing and Administration Bond dated 05.02.2025 also filed through e-filing.

11. Advocate for the petitioner submits that the petitioner was unaware of obtaining the Succession Certificate for the securities in the name of the deceased No. 1 and 2 and was recently been advised to obtain the same, hence, the delay caused may kindly be condoned. In view thereof, delay is condoned.

12. This petition is filed for grant of Succession Certificate in respect to the **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 **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.

15.02.2025

Ajay

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**