

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

CALLED FOR COMPLIANCE :

Sr. No. 20 – TP / 57 / 2025 (E-filing)

Mr. Chandrakant Pawar i/b. Mr. Yash Arora, Advocate for petitioner.

1. Perused the Petition. Heard Ld. Advocate for petitioner. This petition is for Succession Certificate in respect of certain **Securities** belonging to the deceased no. (1) viz. Vijay Kumar Bagla @ Vijay Kumar Bhagla, who died at Mumbai on 05.09.2020. 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 colly' to the petition.

And Deceased no. (2) viz. Indu Bagla who died at Mumbai on 31.12.2022. Copy of death certificate is annexed to the petition. Copy of identification proof of the deceased no. 2 is annexed at page no. 16 to the petition. **Advocate for petitioner is directed to mention full name of the deceased no. 2 in cause title as well as para no. 1 of the petition as form of correction. Advocate for petitioner to carry out correction and upload the corrected version of the petition.**

2. Advocate for petitioner submits that the both the deceased at the time of their death had a fixed place of abode at B-2505/2506, Vishnu Shivam Tower, Thakur Village, Kandivali (E), Greater Mumbai, Maharashtra, 400101, who left their movable properties within Greater Bombay and in the State of Maharashtra.

3. Advocate for petitioner submits that, the said both the 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 Indian Succession Act, 1925 are mentioned in para no. 4 of the said petition.

Advocate for petitioner request to carry out correction in para no. 4 of the petition with respect the Act. The said request is accepted. Advocate for petitioner is directed to carry out correction forthwith in para no. 4 of the petition replace the Act “Indian Succession Act, 1956” to the “Hindu Succession Act, 1956”.

5. Advocate for the petitioner submits that the parents of the deceased predeceased the deceased. Both deceased were survived by three sons viz. Neeraj Vijay Kumar Bagla, Shishir Vijay Kumar Bagla and Pankaj Vijay Kumar Bagla. Out of them two sons viz. Shishir Vijay Kumar Bagla and Pankaj Vijay Kumar Bagla had given their consents for issuance of Succession Certificate in favour the petitioner viz. Neeraj Vijay Kumar Bagla being the son of the deceased. Consent Affidavits are annexed at page no. 24 - 31 to the petition. Save and except there are no other legal heirs and next-of-kin left by the deceased, which is mentioned at para no. 4 of the petition.

6. Advocate for Petitioner submits that petitioner is entitled to 1/3rd (One Third) share each of the estate of the deceased 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 24.01.2025 for proving General Notice filed through e-filing and Administration Bond dated 28.01.2025 also filed through e-filing.

11. 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.
- 4) Office to issue grant as soon as Advocate for petitioner will carry out correction in cause title as well as para no. 4 of the petition and upload the corrected version of the petition.

15.02.2025

Ajay

COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR