

BEFORE : MRS. R. V. RANE
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
DATE : 13th January'2025

Sr No. - 18- TP/1702/2024
(ECHCBM02092292023)

Mr. Wilson Cherian i/b. Rony Wilson, Advocate the petitioner.

Called for Compliance

1. Perused the Petition. Heard Advocate for petitioner. Advocate for petitioner submits that the present petition is for Succession Certificate in respect of certain **securities and debts** belonging to the deceased viz. Ravindra Joyuntilal Koticha alias Ravindra Jayanttilal alias Ravindranath Joyuntilal Koticha alias Ravindranath Juyuntilal Koticha alias Ravindranath J Koticha. who died at Mumbai on 14.11.2019 . Copy of death certificate is annexed at Exhibit -'A' to the petition. Copy of the identification proof of the deceased is annexed at Exhibit "A1" to the petition.

2. Advocate for petitioner submits that the said deceased ordinarily resided at Room No.17/18, Prabhu Prerana, Plot No. 129, Vallabh Baug Lane, Ghatkopar East, Rajawadi S.O, Mumbai-400077 and left property with Greater Bombay, in the State of Maharashtra 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 surviving as **his** only heirs next-of-kin according to **Hindu Succession Act, 1956** are mentioned in para no. 4 of the said petition.

5. Advocate for the petitioner submits that the father of the deceased predeceased the deceased. The wife of the deceased died on 01.11.2011.

Advocate for petitioner submits that the deceased left behind him mother and son viz. (1) Pravar Ravindranath Koticha (son of the deceased/petitioner herein), (2) Vijaya Jayantilal Koticha (mother of the petitioner). Save and except there are no other legal heirs and next of kind left by the deceased, which is mentioned at para no. 4 of the petition.

Advocate for petitioner submits that Vijaya Jayantilal Koticha had given their consent for issuance of succession certificate in favour of Pravar Ravindranath Koticha, petitioner.

The consent affidavits are annexed as page no. 14 to 16.

6. Advocate for Petitioner submits that being the **son** of deceased claims to be entitled for **1/2** share in the estate left by the deceased.

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 there is delay of filing this petition be condoned as the concerned authorities asked for legal representation to transfer the property in favour of the Legal heirs. In view thereof, delay is condoned.

11. Advocate for the petitioner submits that the General Notice was issued on **06.04.2024** in the aforesaid matter. Advocate for the petitioner submits that Affidavit of Service through Bailiff, Deputy Sheriff of Mumbai dated **12.08.2024** and Administration Bond dated **20.08.2024** also filed through e-filing.

Advocate for the petitioner is directed to carry out correction with respect to claim amount into the

Administration Bond. He will upload the corrected version and will get it approved. Reverification is dispensed with.

12. Grant expedited since the mother of the deceased who is legal heir is of 97 years old.

13. This petition is filed for grant of Succession Certificate in respect to the **securities and debts** 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 and debts** 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) **Grant expedited.**

ksa/rvr

**COMPANY REGISTRAR/
TESTAMENTARY REGISTRAR**