

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY PETITION NO. 2206 OF 2024

Ranbir Kaur Kohli wife of Manmohan Singh Kohli & ...Petitioners
Anr

Sahid Kaur w/o Sardar Budh Singh ...Deceased

Ms Jyoti Badgujar, i/b Lakdawal & Co, for the Petitioners.

CORAM. ARIF S. DOCTOR, J
DATED. 4TH FEBRUARY 2025

PC:-

SHEPHALI
SANJAY
MORMARE

Digitally signed by
SHEPHALI
SANJAY
MORMARE
Date: 2025.02.05
10:20:21 +0530

1. The Petition is for the grant of Succession Certificate in respect of one Sahid Kaur w/o Sardar Budh Singh.

2. Learned Counsel appearing on behalf of the Petitioners submits that the office has raised the following requisition vide order dated 3rd May 2024.

"b. Advocate for the petitioner to file Affidavit of Service of General Notice and also effect service upon non-contesting legal heirs, if any as per Rules 399 and 400 of the Bombay High Court Original Side Rules and also justify surety of non-

contesting legal heirs and furnish Administration Bond within one week thereafter."

3. Learned Counsel submits that the Petitioners have in view of the said requisition raised, filed their Affidavit on 7th August 2024, in paragraph 5 of which the Petitioner has undertaken as follows:

"5. In view the undertaking on oath given by me that I undertake to indemnify the Honourable Court in the event of a party affected sustaining prejudice by any order that might be made granting the relief the Succession Certificate in favour of Petitioners. I undertake to not to dispose or create and third party rights over the said share of the non-consenting legal heir, as at present I am not in a position to deposit the said huge amount Petitioner has already executed administration bond on ___ and have complied with on the all necessary requirements, including furnishing inventory etc., before this Court upon issuance of grant, Petitioner being Senior citizen aged 72 years hence request to kindly allow them to proceed in the matter the objection by dispensing the requisition raised by department in respect of justifying surety in respect of Mr. Anandpreet Singh"

4. In view of the aforesaid undertaking, which is accepted as undertaking given to the Court, the requisition raised by the Registry on 3rd May 2024 as extracted above is, accordingly, dispensed with.

5. Office to proceed accordingly.

(ARIF S. DOCTOR, J)