

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO.1234 OF 2025
IN
TESTAMENTARY PETITION NO.421 OF 2024

Shaheen Kauser	...Applicant
V/s.	
Cipla Limited and Others	...Respondents

WITH
TESTAMENTARY PETITION NO.3807 OF 2024

Ms. Sheetal Shah i/b Mehta and Girdharlal for the Applicant.
Mr. Priyank Kapadia with Mr. Aditya Seetharaman i/b Mr. Vishal Shriyan for the Respondent No.1.

CORAM	:	ABHAY AHUJA, J.
DATE	:	28 th APRIL 2025

PC. :

1. This matter has been circulated at the behest of the Applicant.
2. Ms. Shah, learned Counsel appearing for the Applicant submits that Section 385 of the Indian Succession Act, 1925 provides that the certificate granted in respect of any of the effects of a deceased person shall be invalid if there has been a previous grant of such a certificate or of probate or letters of administration in respect of the estate of the deceased person and if such previous grant is in force.

3. Mr. Kapadia, learned Counsel appearing for the Respondent No.1-Company has submitted that there is a rival claim that has been received from Mr. Altaf Hussain in respect of the very same shares and unclaimed dividends and the said claim is also based on the succession certificate issued by this Court.

4. In addition Mr. Kapadia submits that in the reply that has been filed on behalf of the Respondent No.1, the Interim Application has also been challenged on the ground of maintainability.

5. Upon a query from this Court to the learned Counsel for the Applicant as to whether the rival claimant viz. Mr. Altaf Hussain has been notified of this hearing, Ms. Shah submits that she had intimated the date of today's hearing to the Attorney for Mr. Altaf Hussain, however, none has remained present.

6. Accordingly, before the matter is decided, this Court is of the view that an opportunity be given to Mr. Altaf Hussain to present his case before this Court.

7. Accordingly, Registry is directed to issue notice to Mr. Altaf Hussain to remain present in this Court on the next date through duly appointed Advocate with appropriate instructions in the matter, failing which this Court will be constrained to decide the matter after hearing the parties represented before this Court.

8. Let rejoinder, if any, to the reply filed on behalf of the Respondent No.1 be filed and served by the next date.

9. List on **24th June, 2025**.

(ABHAY AHUJA, J.)