

**BEFORE : MRS. R. V. RANE ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 14th February, 2025**

NOT ON BOARD, TAKEN ON BOARD :

1 TP/4166/2024 (E-filing)

Ms. Tansneem A. Saria i/b. Pooja Shah, Advocate for petitioner

- PC :** 1. Perused Petition. Heard Ld. Advocate for petitioner. Ld. Advocate for petitioner seeks permission to carry out corrections in para No. 7 of the petition by inserting 'full share in the' before the words 'estate left by deceased'. The said corrections are allowed. Ld. Advocate for petitioner to carry out the said corrections forthwith. At the request of Ld. Advocate for petitioner, re-verification is dispensed with. Ld. Advocate for petitioner to re-upload the corrected version of the petition today itself.
2. Ld. Advocate for petitioner submits that the present petition is for Succession Certificate in respect of certain debts belonging to the deceased namely Yogesh Kamalakar Shinde who died at Mumbai on 12.03.2022. Copy of death certificate is annexed to the petition as Exhibit -'B'. Copies of identification proof of deceased viz. Aadhaar Card and Pancard are annexed to the petition as Exhibit – "A" and "A1".
3. Ld. Advocate for petitioner submits that deceased ordinarily resided at Room No. 17, Rajkotwala Building No.20, Kamathipura 13th Lane, Mumbai 400008 , and / or left property within Greater Mumbai, the State of Maharashtra.
4. Ld. 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.
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5. Ld. Advocate for petitioner submits that deceased left behind his only legal heirs shown in the paragraph No. 4 of the petition, as per the provisions of the Hindu Succession Act, 1956.

6. Ld. Advocate for petitioner submits that grandparents of deceased predeceased the deceased. Father of deceased namely Kamalakar Krishna Shinde predeceased the deceased who died on 24.11.2003. Mother of deceased namely Karuna Kamalakar Shinde predeceased the deceased who died on 02.06.2017. Deceased died as bachelor. Deceased was survived by one sister namely Sanika Suryakant Rane who is petitioner herein. 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.

7. Ld. Advocate for Petitioner submits that petitioner being sister of deceased claims to be entitled for full share in the estate left by the deceased.

8. Ld. 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.

9. Ld. 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.

10. Ld. 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.

11. Advocate for the petitioner submits that the General Notice was issued on 05.09.2024 in the aforesaid matter. Ld. Advocate for the petitioner submits that Affidavit of Service dated 27.09.2024 for proving the service of General Notice filed through e-filing.

Ld. Advocate for the petitioner submits that “pursuant to the order dated 2.2.2024 passed by the Hon’ble Shri Justice Manish Pitale, in Testamentary Petition No. 2918 of 2023, direction was given to the Registry in case of all the surviving legal heirs of the deceased are petitioners before the Court and the right or interest of no other legal heir is required to be protected, the department shall not insist on furnishing Administration Bond. Hence, Administration Bond is dispensed with”.

12. This petition is filed for grant of Succession Certificate in respect to the securities which was mentioned in Schedule-I 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-I, 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) Office to issue grant as soon as after filing of the corrected version of the petition on the official portal of the Bombay High Court and the same is approved by the Registry.

14.02.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**