

BEFORE : MRS. R. V. RANE
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
DATE : 8th January'2025

Sr No. - 20-TP/4584/2024
(ECHCBM02117992024)

Mr. B. G. Saraf a/w. Suyash Kalbhor, Advocates for 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** belonging to the deceased viz. Suryanath Rampati Singh @ Singh Suryanath Rampati who died at Mumbai on 03.01.1997. Copy of death certificate is annexed at Exhibit -'A' to the petition.

Advocate for petitioner submits that since identification proof of the deceased is not available petitioner had filed Affidavit dated 02.04.2024 for dispensation of identification proof of the deceased. After perusal of the same it is found that the petitioner has mentioned that they had taken search, but the said identification proof of the deceased is not available with them. Hence, the petitioner request that they may be permitted to file the present petition without the identification proof of the deceased. The said request is accepted. Copy of Affidavit for dispensation of identification

proof of the deceased is annexed as page no 13 to 15 to the petition.

2. Advocate for petitioner submits that the said deceased ordinarily resided at 202-203, Ankit Apts , S.V.Road, Dahisar East, Mumbai – 400068 and left properties within Greater Mumbai in the State of Maharashtra.

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 **parents of the deceased predeceased the deceased.**

Advocate for petitioner submits that the deceased left behind him son, daughter in law, grandson, granddaughter viz. (1) Shivshankar Suryanath Singh (son of the deceased) died on 02.04.2004 leaving behind him (1a) Jamunadevi Shivshankar Singh (daughter in law of the deceased/wife of the deceased son) died on 04.10.2010. (1b) Shakti Shivshankar Singh (grandson of the deceased/petitioner no. 2/son of the deceased son), (1c) Bhakti Shivshankar Singh

(grandson of the deceased/petitioner no. 1/son of the deceased), (1d) Suman Santosh Singh d/o Shivshankar Singh (granddaughter of the deceased/son of the deceased son), (1e) Sapana Sanjeev Rajput d/o Shivshankar Singh (granddaughter of the deceased/daughter of the deceased son),

(2) Satyanand Suryanath Singh (Son of the deceased) died on 29.09.2021 leaving behind (2a) Maya Satyanand Singh (daughter in law of the deceased/wife of deceased son), (2b) Ratankumar Satyanand Singh (grandson of the deceased/son of the deceased son), (2c) Rohit Satyanand Singh (grandson of the deceased/son of deceased son). 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 Suman Santosh Singh , Sapana Sanjeev Rajput d/o Shivshankar Singh, Maya Satyanand Singh, Ratankumar Satyanand Singh, and Rohit Satyanand Singh had given their consent for issuance of succession certificate in favour of Bhakti Shivshankar Singh, (petitioner no. 1) and Shakti Shivshankar Singh, (petitioner no.2).

The consent affidavits are annexed as page no. 23 to 32.

6. Advocate for Petitioner submits that being the **grandsons (petitioner no.1) and (petitioner no.2)** of

deceased claims to be entitled for **12.5%** 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 **05.10.2024** in the aforesaid matter. Advocate for the petitioner submits that Affidavit of Service

dated **22.10.2024** for proving General Notice filed through e-filing and Administration Bond dated **07.11.2024** also filed through e-filing.

12. 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.

ksa/rvr

**COMPANY REGISTRAR/
TESTAMENTARY REGISTRAR**