

**BEFORE : MRS. R. V. RANE ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 12th February, 2025**

CALLED FOR COMPLIANCE :

14 TP/4666/2024 (E-filing)

Mr. Hemant Govind Salunke, Advocate for petitioner

- PC :** 1. Perused Petition. Heard Ld. Advocate for petitioner. Ld. Advocate for petitioner seeks to carry out correction in para No. 4 of the petition by adding one line ‘parents of deceased predeceased the deceased.’ as well as to delete the words ‘and security’ from the prayer clause of the petition. The said corrections are allowed. The said corrections are allowed. Ld. Advocate for petitioner to carry out corrections forthwith and re-upload the corrected version of the petition on the official portal of the Bombay High Court. At the request of Ld. Advocate for petitioner, re-verification is dispensed with.
2. Ld. Advocate for petitioner submits that the present petition is for Succession Certificate in respect of certain debts belonging to the deceased namely Rani Haresh Chattani who died at Mumbai on 03.07.2023. Copy of death certificate is annexed to the petition as Exhibit -‘A’. Copy of identification proof of deceased viz. Aadhaar Card is annexed to the petition as Exhibit – “A1”.
3. Ld. Advocate for petitioner submits that deceased ordinarily resided B-2, Shaikh Chawl, Kolivery Road, Kalina Market, Vidyanagari, Mumbai 400098, Maharashtra and left movable property within Greater Mumbai and in 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 her only legal heirs shown in the paragraph No. 4 of the petition, as per the provisions of the Indian Succession Act, 1925.
6. Ld. Advocate for petitioner submits that parents of deceased predeceased the deceased. husband of deceased namely Haresh Kishanchand Chattani predeceased the deceased who died on 30.07.2022. Deceased died issue-less. There no legal heirs of Class I and Class II from the husband side. Deceased was survived by one sister namely Lily Issac Joseph alias Lilishila Joseph 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 being 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.
10. Advocate for the petitioner submits that the General Notice was issued on 05.10.2024 in the aforesaid matter. Advocate for the petitioner3

submits that Affidavit of Service dated 08.11.2024 for proving the service of General Notice filed through e-filing.

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.

12.02.2025

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**