

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

CALLED FOR COMPLIANCE :

20 TP/4767/2024 (E-filing)

Mr. Sudhir Yadav, Advocate for petitioners

PC : 1. Perused Petition. Heard Ld. Advocate for petitioners. Advocate for petitioners submits that the present petition is for Succession Certificate in respect of certain Securities belonging to the deceased No. 1 namely Darshan Singh Puran Singh who died at Mumbai on 09.06.2012. Copy of death certificate is annexed to the petition as Exhibit -'A'. Copy of identification proof of deceased viz. Pan Card is annexed to the petition as Exhibit – "A1".

Deceased No. 2 namely Puran Singh Bhan Singh who died at Mumbai on 14.05.2003. Copy of death certificate is annexed to the petition as Exhibit -'B'. Copy of identification proof of deceased viz. Election Card is annexed to the petition as Exhibit – "B1".

2. Ld. Advocate for petitioners submits that deceased Nos. 1 and 2 ordinarily resided at B/14, Prem Sagar Apartment, 3rd Floor, L.B.S. Marg, Kurla (W), Mumbai - 400070 and left property within greater Mumbai, the State of Maharashtra.

3. Ld. Advocate for petitioners 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. Ld. Advocate for petitioners submits that deceased Nos. 1 and 2 behind them only legal heirs shown in the paragraph Nos. 6 and 7 of the petition respectively, as per the provisions of the Hindu Succession Act, 1956.2

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5. Ld. Advocate for petitioners submits that deceased No. 1 namely Puran Singh Bhan Singh died issue-less. Deceased No. 1 left behind his wife namely Manmohan Kaur Darshan Singh who is petitioner No. 1 herein. Father of deceased No. 1 predeceased to him and mother of deceased No. 1 since deceased the deceased who died on 22.02.2022.

Wife of deceased No.2 namely Amar Kaur Puran Singh died on 22.02.2022. Deceased No. 2 died leaving behind two sons and one daughter. One son of deceased No. 2 namely Darshan Singh Puran Singh died on 09.06.2012 (Deceased No.1). Another son of deceased No. 2 namely Kalwant Singh Puran Singh is petitioner No. 2 herein and daughter namely Kuldeep Kaur Harvinder Singh Karla. 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.

Ld. Advocate for petitioner further submits that Consent Affidavit of Kuldeep Kaur Harvinder Singh Karla dated 13.03.2024 is filed and she has given her consent in favour of petitioners namely Manmohan Kaur Darshan Singh and Kalwant Singh Puran Singh. The said consent Affidavits are annexed to the petition at page Nos. 25 to 27.

6. Ld. Advocate for Petitioners submits that being petitioners being widow of deceased No. 1 and son of deceased No. 2 respectively claims to be entitled for $\frac{1}{2}$ share each in the estate left by the deceased Nos. 1 and 2.

7. Ld. Advocate for petitioners 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. Ld. Advocate for petitioners submits that no application has been made to any District Court or District Delegate or to any High Court for3

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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. Ld. Advocate for petitioners 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. Ld. Advocate for the petitioners submits that if there is any delay in filing the present petition the same may please be condoned. In view thereof, delay is condoned.

11. Advocate for the petitioners 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 23.10.2024 for proving the service of General Notice filed through e-filing. Administration Bond dated 19.10.2024 is filed.

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.

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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.

12.02.2025

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TESTAMENTARY REGISTRAR**