

**BEFORE : MRS. R. V. RANE
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
DATE : 24th January'2025.**

Sr. No. 31-TP/4846/2024

Ms. Anjali Trivedi, Advocate for the petitioner.

For Compliance

Advocate for the petitioner is directed to delete the word “debt” into the cause title as well as all consequential corrections as the petition is only for “securities”. Advocate for the petitioner will upload the corrected version and get it approved. Reverification is dispensed with.

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. Rukmani Atalrai Keswani, who died at Mumbai on 27.09.1983. Copy of death certificate is annexed at Exhibit -‘A’ to the petition.

Advocate for the petitioner submits that she may be permitted to carry out averment in para no. 1 to the petition with respect to identification proof of the deceased and will annex the copy of the identification proof of the deceased to the petition. She will upload the corrected version and request that reverification may be dispensed with. The said request is accepted. Advocate for the petitioner is permitted to carry out averment in para no. 1

to the petition with respect to the identification proof of the deceased and annex the copy of the identification proof of the deceased. If the identification proof of the deceased is not available Advocate for the petitioner to file Affidavit for dispensation of identification proof of the deceased and carry out averment in para no.1 to the petition as well as annex the copy of the affidavit for dispensation of the identification proof of the deceased to the petition. She will upload the corrected version as well as affidavit for dispensation of identification proof.

2. Advocate for petitioner submits that the said deceased ordinarily resided at Pallonji Mansion, 43, Cuffe Parade, Colaba, Mumbai - 400 005 and left property within Greater Bombay, 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 **her** 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. The husband of

the deceased viz. Atalrai Keswani died on 18.11.2006. Copy of the death certificate is annexed as Exhibit “B”.

Advocate for the petitioner submits that daughter of deceased viz. Manoo C. Shukla died on 04.05.2016. Copy of the death certificate is annexed as Exhibit “C”. The grandson viz. Oorjit C. Shukla (son of the deceased daughter Manoo C. Shukla) died on 17.06.2017. Copy of the death certificate is annexed as Exhibit “D”.

Advocate for petitioner submits that the deceased left behind her sons , daughters and granddaughters viz. (1) Suresh Atalrai Keswani (son of the deceased), (2) Dr. Renu Bharat Patel (daughter of the deceased), (3) Bhagesh Atalrai Keswani (son of the deceased), (4) Liloo Pavan Batra (daughter of the deceased/petitioner herein), (5) Mahesh Atalrai Keswani (son of the deceased), (6) Yashashwini C. Shukla (granddaughter of the deceased/daughter of deceased daughter Manoo C. Shukla), (7) Prashama C. Shukla (granddaughter of the deceased/daughter of deceased daughter Manoo C. Shukla). 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 Suresh Atalrai Keswani , Dr. Renu Bharat Patel, Bhagesh Atalrai Keswani , Mahesh Atalrai Keswani, Yashashwini C. Shukla and Prashama C. Shukla had given their consent for issuance of

succession certificate in favour of Lило Pavan Batra petitioner.

The consent affidavits are annexed as page no. 19 to 41.

6. Advocate for Petitioner submits that being the **daughter** of deceased claims to be entitled for **1/6th** 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 **17.10.2024** in the aforesaid matter. Advocate for the petitioner submits that Affidavit of Service dated **16.11.2024** for proving General Notice filed through e-filing and Administration Bond dated **28.11.2024** 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. **Grant to be expedited as petitioner and legal heirs are senior citizens.**

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.

Office to issue grant as soon as advocate for the petitioner upload the identification proof of the deceased or the affidavit for dispensation of identification proof of the deceased and get it approved and also carry out correction in the cause title by deleting the word “debts”

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**

ksa/rvr