

BEFORE : MRS. R. V. RANE
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
DATE: 04th January, 2025

CALLED FOR DIRECTION :

Sr. No. 1, TP-5948-2024
(AMH20230026312C202400013)

Mr. Vinayak Palande, Advocate for petitioner.

1. Perused Petition. Heard Ld. Advocate for petitioner. This petition is for Succession Certificate in respect of certain **Securities** belonging to the deceased viz. Jagdish Kumar Bairwa S/o. Babu Lal Bairwa, who died at Jaipur on 23.11.2020. Copy of death certificate is annexed at Exhibit- 'A' to the petition. Copy of Identification proof of deceased is already annexed to the petition. **Advocate for petitioner is directed to correct the word in cause title of the deceased i.e. "his" instead of "her" and also directed correct the averment regarding identification of the deceased in para no. 1 of the petition.**

2. Advocate for petitioner submits that the said deceased ordinarily resided at B-440 Mahesh Nagar, Tonk Phatak Lal Kothi Jaipur – 30201 and left property within Greater Bombay and in the State of Maharashtra.

"The Hon'ble Court (CORAM : Hon'ble Shri Manish Pitale J.) on 29th September, 2023 passed direction in TP No. 233 of 2022 in which the Hon'ble Court decided the issue of jurisdiction under Section 371 of Indian Succession Act and decided the Jurisdiction of this Hon'ble Court." In view of the order dated 29th September, 2023, the present petition proceed further.

3. 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.

4. Advocate for petitioner submits that the said deceased died intestate and that due and diligent search has been made for Will but none has been found.

5. 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 will or without Will annexed to his property and credits or any petition for Succession Certificate.

6. In the aforesaid circumstances, I pass the following order:

ORDER

- a. Office to Issue General Notice within two weeks from the date of uploading of this order.
- b. Advocate for the petitioner to file Affidavit of Service of General Notice and also effect service upon non-consenting legal heirs, if any as per Rules 399 and 400 of the Bombay High Court Original Side Rules and also justify surety of non-consenting legal heirs and furnish Administration Bond within one week thereafter.
- c. Office to verify if any cross petition is filed, if cross petition is filed, then take steps to place before the Hon'ble Court under Rule 407 of High Court Original Side Rules.
- d. List the matter on 24th February, 2025 for compliance.

04.01.2025

Ajay

COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR