

BEFORE : MRS. C. J. BHATT,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
DATE: 05th JANUARY, 2023

CALLED FOR COMPLIANCE :

13. TP/2252/2022) Mr. S. U. Lakdawala a/w. Mr. Jayant Wani i/b.
) Ms. Asha Mittal, Advocate for petitioner.
)

) **P.C.:** 1. Perused Petition. Heard Ld. Advocate
) for petitioner. This petition is for Letters of
) Administration to the property and credits of
) deceased filed by petitioner being widow of
) the deceased. Deceased said to be died
) intestate at Mumbai on 12.12.2015. Copy of
) death certificate is annexed to the petition.
) Identification proof of deceased viz. copy of
) Pancard is already annexed to the petition.
)

) 2. Mr. Lakdawala, Advocate for petitioner
) submits that mother of the deceased since
) deceased. Father of deceased predeceased the
) deceased. Deceased left no sister and had one
) brother. Who is legal heir of since deceased
) mother. Deceased was survived by widow, one
) daughter, one minor son and one brother
) (mother's legal heir). Out of them widow is
) petitioner and all legal heirs have given their
) consent. Consent for minor son Master Shayan
) Vikram Kapoor filed by petitioner being
) mother and natural guardian. Consent
) Affidavits are on record. There are no other
) legal heirs.
)

) Pursuant to order dated 06.04.2021
) passed by the Hon'ble Shri Justice G. S. Patel
) in Testamentary Petition No. 1701 of 2017,
)

13 TP/2252/2022) the Hon'ble Court has directed where birth
) parent seeks Letters of Administration or
) Succession Certificate, the Registry is not
) entitled to demand surety justifying the birth
) minor's share in the property or estate in
) question.
)
) Such demand can only be made where
) the petitioner is not the birth parent and
) natural guardian of the minor. Hence,
) justifying surety is dispensed with.
)
) 3. Petitioner's oath is filed. Affidavit of
) Service of General Citation and
) Administration Bond are filed. Delay is
) explained. All other legal formalities are
) complied with. Hence, petition is granted.
)
) 4. Office to issue Letters of Administration
) as prayed after verifying whether any cross
) petition is filed or whether any caveat is filed.
)

05.01.2023

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**