

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 108 OF 2014**

Smt. Radhabai Kishore Kadam	...Petitioner
<i>And</i>	
Smt. Rakmabai Baburao Nanavare	...Deceased

Ms. Suvidha Patil, *with Ms. Pushpa Thapa, for the Petitioner.*

CORAM: G.S. PATEL, J
DATED: 23rd March 2015

PC:-

1. The Petitioner seeks a legal heirship certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of one Smt. Rakmabai Baburao Nanavare, who is said to have died intestate in Mumbai, where she was ordinarily resident, on 29th May 2000. A copy of her death certificate is annexed.

2. At the time of the deceased's death, her son Ashok had predeceased her leaving behind his widow, a son and a daughter, i.e., the daughter-in-law and grandchildren of the deceased. Rakmabai was also survived by her married daughter Radhabai and a unmarried son Shivaji. The Petitioner states that the whereabouts of the grand daughter are not known. It seems that the unmarried

son, daughter in law, grandson of the deceased have also passed away. The only surviving heirs are the Petitioner and the grand daughter. The latter's address and whereabouts are not known. The names of the legal heirs and next of kin are set out in paragraph 2 of the petition.

3. A proclamation has been issued. None have come forward. No other petition for a heirship certificate, succession certificate, probate or letters of administration with or without will annexed has been filed. There is no impediment to the grant of relief.

4. The petition is made absolute. A legal heirship certificate will be issued in the names of the persons mentioned at Sr Nos. 2 and 4B of the table set out below paragraph 2 of the petition, namely, Mrs. Radhabai Kishore Kadam and Ms. Darshana Ashok Nanavare.

5. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J.)