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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 124 OF 2014**

Arun Bhagwan Palav

...Petitioner

Versus

Lata N. Dange & Others

...Respondents

Mr. Chetan Akerkar, *for the Petitioner.*

None *for the Respondents.*

CORAM: G.S. PATEL, J

DATED: 2nd February 2015

PC:-

1. The Petitioner is the son of one Bhagwan Abaji Palav, who died at Mumbai on 4th February 2002. The deceased died intestate and left no testamentary disposition. He was survived by the Petitioner, one Sachin Bhagwan Palav, and three Respondents. Sachin has filed an affidavit consenting to the grant of Heirship Certificate sought by the Petitioner under Bombay Regulation VIII or 1927. Two of the daughters have refused service, and the remaining daughter has been served and an affidavit of service in that behalf is on file. The deceased's wife died on 29th July 1988 and another son Vinod also died before he did.

2. The deceased was a renowned film actor. He owns the copyright in the film *Albela*. This copyright was acquired by a Sole Proprietorship firm of the Petitioner. This assignment is required to be formally recognized for protection and enforcement. A proclamation has been issued. The original proclamation is tendered and is taken on file.

3. Although two sisters, Respondents Nos. 1 and 3, have refused service, they have filed no opposition to this Petition. In fact, none of the Respondents have filed any opposition to the Petition and the only remaining heir has filed an affidavit in support.

4. Accordingly, the Petition is made absolute in terms of prayer clause (a), which reads as follows:

“(a) This Hon’ble Court be pleased to issue a Legal Heirship Certificate recognizing the Petitioner Arun Bhagwan Palav as legal heir of the deceased Bhagwan Abaji Palav under the provisions of Bombay Regulation Act VIII of 1927.”

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

(G. S. PATEL, J.)