

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 124 OF 2015**

Mehmood Dawood Shaikh	...Petitioner
<i>And</i>	
Sulthana Dawood Shaikh	...Deceased

Ms. S. Hunnarkar, *for the Petitioner.*

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

PC:-

1. The Petitioner seeks a Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of one Sulthana Dawood Shaikh alias Sultana Dawood Shaikh, who is said to have died intestate on 16th December 2013 in Mumbai, where she was ordinarily resident. A copy of her death certificate is annexed. The deceased was survived by two sons and a daughter. Their names are mentioned in the tabulation below paragraph 4 of the petition.

2. The Petition is brought by one of her sons. The Legal Heirship Certificate is required for production before MHADA in relation to transfer of tenancy rights of a Room No. 246/1967,

Motilal Nagar No. 1, Road No. 6, Goregaon (West), Mumbai 400 104.

3. Consent Affidavits of the other heirs are annexed to the Petition. By order dated 19th October 2015, the proclamation was dispensed with. 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 in terms of prayer clause (a) in favour of the persons mentioned in the table below paragraph 4, namely, Mehmood Dawood Shaikh, Maksood Dawood Shaikh and Rahila Dawood Shaikh.

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

(G. S. PATEL, J.)