

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 13 OF 2016**

Mangala Yashwant Karmarkar & Anr.	...Petitioners
<i>And</i>	
Yashwant Krishna Karmarkar	...Deceased

Ms. Laxmi Mankar, *for the Petitioners.*

CORAM: G.S. PATEL, J
DATED: 18th April 2016

PC:-

1. Accepted. The Petitioners are the only heirs of the deceased. Hence, proclamation is dispensed with.

2. The Petition is made returnable forthwith.

3. The Petitioners seek a Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of one Yashwant Krishna Karmarkar, who is said to have died intestate in Mumbai, where he was ordinarily resident, on 26th September 2010. A copy of his death certificate is annexed. The deceased was survived by his widow and a married daughter. Both are Petitioners.

4. The Legal Heirship Certificate is required since the Petitioners desire to relinquish the deceased's right in a dealership agreement that he carried on in partnership with one Mr. Mehraj Rajabali Merchant. That dealership agreement is with the Indian Oil Corporation. The Petitioners do not desire to continue that business or the partnership.
5. 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.
6. The petition is made absolute in terms of prayer clause (a) in favour of the persons mentioned in the table below paragraph 4, namely, Mangala Yashwant Karmarkar and Madhura Mahesh Bapat.
7. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J.)