

JSN

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.12 OF 2016**

Malji Vithoba Shivane	...Deceased
<i>And</i>	
Ms. Minakshi Malji Shivane	...Petitioner

Ms. Neelam S. Vyas, *i/b. Balkrishna Shetty, for the Petitioner.*

**CORAM: G.S. PATEL, J.
DATED: 21st March 2016**

P.C.

1. The Petition is for a Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of one Malji Vithoba Shivane, who is said to have died intestate in Mumbai, where he was ordinarily resident, on 26th June 1995. A copy of his death certificate is annexed.

2. During his life time the deceased was employed with the Naval Dockyard in Mumbai. He was entitled to pension. The deceased was survived by daughter and son whose names are set out in paragraph 5.

3. It is also stated that the deceased's wife died on 17th April 2013. A copy of her death certificate is also annexed.

4. Proclamation having been dispensed with and there being no other Petition or application for representation to the estate, and since this Court has jurisdiction, there is no impediment to the grant of relief.

5. The Petition is made absolute in terms of prayer clause (a) which reads:

"a) That legal heirship certificate there by certifying the Petitioner i.e. Ms. Minakshi Malji Shivne, and Mr. Dattram Malji Shivne be recognized as legal heirs and representatives of the deceased be granted to the Petitioner."

6. All concerned to act upon an authenticated copy of this order.

(G. S. PATEL, J.)