

SHEPHALI

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 105 OF 2015**

Mahesh Ratnakar Gothivrekar	...Petitioner
<i>And</i>	
Ratnakar Mangesh Gothivrekar	...Deceased

Mr. Rajendramegh, *for the Petitioner.*

**CORAM: G.S. PATEL, J
DATED: 10th June 2016**

PC:-

1. A proclamation has been issued. Affidavit of Service is on record. None have come forward.

2. The Petitioner seeks a Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of one Ratnakar Mangesh Gothivrekar, who is said to have died intestate in Mumbai, where he was ordinarily resident, on 11th May 2002. A copy of his death certificate is annexed. The deceased was survived by his widow, a married daughter and two sons. Their names are mentioned in the tabulation below paragraph 4 of the petition.

3. During his lifetime, the deceased owned Flat No. A-1, Nandadeep Co-operative Housing Society Ltd., J. P. Nagar, Goregaon (East), Mumbai 400 063.
4. The Legal Heirship Certificate is required for the purposes of enrolling as a member in respect of the said flat along with other legal heirs.
5. All the heirs have consented. 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), which reads thus:

“(a) The Petitioner be granted legal heirship certificate along with her mother: Mrs. Shakuntalal Ratnakar Gothivrekar, Sister; Anuja Y. Divekar, and brother: Umesh Ratnakar Gothivrekar certifying them as the legal heirs of the deceased Ratnakar mangesh Gothivrekar.”
7. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J.)