

JSN

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.63 OF 2016**

Shantilal Prahladji Joshi alias Shantilal P. Joshi ...Deceased
alias S.P. Joshi
And
Sharad Shantilal Joshi and others ...Petitioners

Mrs. Rashmi N. Jani, *for the Petitioners.*

CORAM: G.S. PATEL, J
DATED: 29th July 2016

PC:-

1. Accepted. All the heirs have consented. Hence proclamation is dispensed with. The Petition is made returnable forthwith and taken up for final hearing and disposal.
2. The Petitioner seeks a Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of one Shantilal Prahladji Joshi alias Shantilal P. Joshi alias S.P. Joshi, who is said to have died intestate in Mumbai, where he was ordinarily resident, on 8th September 2006. A copy of his death certificate is annexed.
3. The Petitioners are the only legal heirs and next-of-kin of the deceased. The Petitioner is one of the sons of the deceased. The deceased was survived by the Petitioners, viz., two sons and two

married daughters. Their names are mentioned in the tabulation below paragraph 4 of the petition.

4. During his lifetime, the deceased was a tenant in respect of Room No.12, of Baijabai Chawl, Jitendra Road, Malad (East), Mumbai- 400 097. This room is proposed to be redeveloped. The Legal Heirship Certificate is required in relation to permanent accommodation in the redeveloped building.

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 favour of all the heirs in terms of prayer clause (a), which reads thus:

(a) That Heirship Certificate in the form Appendix of the Bombay Regulation VIII of 1927 be granted to the Petitioners declaring that the Petitioners viz., (1) SHARAD SHANTILAL JOSHI, (2) VIREN SHANTILAL JOSHI, (3) BINDU VIJAY UPADHYAY Nee name BINDU SHANTILAL JOSHI & (4) CHANDRIKA PRAVINCHANDRA PATEL Nee name CHANDRIKA SHANTILAL JOSHI, are the legal heirs of the deceased Late SHANTILAL PRAHLADJI JOSHI.

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

(G. S. PATEL, J.)