

JSN

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.72 OF 2016**

Umatulnisha Ansar Ahmed Khan	... Petitioner
<i>And</i>	
Ansar Ahmed Mohd. Hanif Khan	... Deceased

Mr. A.K. Saxena, i/b S.U. Lakdawala for the Petitioner.

**CORAM: G.S. PATEL, J
DATED: 16th August 2016**

PC:-

1. Accepted. All the heirs have consented. The proclamation is dispensed with. The Petition is made absolute forthwith and taken up for hearing and final disposal.

2. The Petitioner seeks a Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of one Ansar Ahmed Mohd. Hanif Khan, who is said to have died in a car accident in Saudi Arabia on 14th April 2014. A copy of his death certificate is annexed. He died intestate.

3. During his lifetime, the deceased had a fixed place of residence at Room No.12, Chanda Rani Chawl, Shastri Nagar,

Behind Kalina Church, Kalina, Santacruz (East), Mumbai 400 029.
Thus, he left property within Greater Mumbai.

4. The deceased was survived by his mother, his widow (the Petitioner), two minors (one daughter and one son). Their names are mentioned in the tabulation below paragraph 4 of the petition. The deceased's father died some time ago. As the deceased was fatally injured in car accident in Saudi Arabia, his legal heirs are entitled to certain compensation. These requires them to produce a legal heirship certificate. Hence this Petition.

5. There is no impediment to grant this Petition. The mother and has consented. The widow is the Petitioner, and she will evidently represent the two minor children as well.

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, Mrs. Zinnatulnisa Mohd. Hanif Khan (mother), Mrs. Umatulnisha Ansar Ahmed Khan (Widow), Ms. Mashira Begum Ansar Ahmed Khan (Daughter) and Mast. Hamza Ansar Ahmed Khan (Son).

7. Prayer clause (a) reads as follows:-

“That a Legal Heirship Certificate Certifying that the Petitioner's along with the Heirs mentioned herein above at paragraph 4 are the only heirs and legal representative of the said deceased under the Provision of Bombay Regulation Act VIII of 1827”.

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

(G. S. PATEL, J.)