

JSN

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.68 OF 2016**

Sampat Kisan Mandave alias Mandwe,	...Deceased
<i>And</i>	
Vimal Sampat Mandave	...Petitioner

Mr. Prabhu Velar, *for the Petitioner.*

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 Sampat Kisan Mandave alias Mandwe, who is said to have died intestate in Mumbai, where he was ordinarily resident, on 9th February 1991. A copy of his death certificate is annexed.
3. The deceased was survived by his widow, a son and two married daughters. Their names are mentioned in the tabulation below paragraph 4 of the petition. The other legal heirs have given their consent. The Affidavits are annexed.

4. The deceased during his life time worked as a Soldier in Army Unit-depot MT Wing ASC, Aurangabad. He was discharged from the Army and then re-employed in Airport Health Organisations. He was getting a Army Pension till his death.

5. The heirship certificate is required in relation to receive a family pension and other death benefits from Office of Sena Corps Abhilekh (Dakshin) ASC Records (South) Bangalore – 566 007.

6. 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.

7. The petition is made absolute in favour of all the heirs in terms of prayer clause (a), which reads thus:

(a) That a Legal Heirship Certificate Certifying that
1) Vimal Sampat Mandave (Widow and Petitioner herein above) 2) Sandeep Sampat Mandave (Son), 3) Ujwala Arun Gharge (Married daughter) and Vandana Ajay Gharge (Married Daughter) are the only heirs and Legal Representatives of the 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.)