

ATUL

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 82 OF 2016**

Tukaram Kisan Khaire	...Deceased
<i>And</i>	
Ajir Tukaram Khaire	...Petitioner

Mr. Prabhu Velar, i/b Mr. Nayan Gandhi, for the Petitioner.

**CORAM: G.S. PATEL, J
DATED: 14th September 2016**

PC:-

1. Accepted. The Petitioner is the son of the deceased Tukaram Kisan Khaire. The other heirs, the widow, married daughter and mother have consented. Hence, proclamation is dispensed with. The Petition is made returnable forthwith.

2. The Petitioner seeks a Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of one Tukaram Kisan Khaire, who is said to have died intestate in Mumbai, where he was ordinarily resident, on 19th August 2015. A copy of his death certificate is annexed. The deceased was survived by his widow, one son, married daughter and mother. Their names are mentioned in the tabulation below paragraph 4 of the petition.

3. During his lifetime, the deceased worked as Police Constable in Thane. The Petitioner has sought appointment with the Police Department on compassionate ground. The Legal Heirship Certificate is required for this purpose.

4. All the heirs have granted consent. 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.

5. The petition is made absolute in terms of prayer clause (a), which read thus:

“(a) That a Legal Heirship Certificate certifying that 1) Ajay Tukaram Khaire (son and Petitioner herein above), 2) Sadhana Tukaram Khaire (Widow), 3) Ashwini Satish Gawade nee Ashwini Tukaram Khaire (Married Daughter), and 4) Chandrabhaga Kisan Khaire (Mother) are the only heirs and Legal representatives of the deceased under the provisions of Bombay Regulation Act VIII of 1827.”

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

(G. S. PATEL, J.)