

SHEPHALI

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 71 OF 2016**

Baby Jose	...Petitioner
<i>And</i>	
P. T. Jose	...Deceased

Ms. M. J. Reena Rolland, *for the Petitioner.*

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

PC:-

1. Accepted. Returnable 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 P. T. Jose, who died in Kerala on a visit to his place of birth although ordinarily resident at Mumbai at P 205, Plot No. 239, Shree Swami Samarth Coop. Housing Society, Section 13 at Kharghar, New Mumbai, on 18th April 2009. A copy of his death certificate is annexed.

3. The deceased was survived by his widow and three children, two daughters and one son. Their names are mentioned below

paragraph 4 of the petition. The deceased's son is the Petitioner. The other heirs have filed their consent Affidavits, which are on record.

4. During the deceased's lifetime, the MMRDA acquired the deceased's commercial/residential premises at Chembur and provided alternate accommodation. The Legal Heirship Certificate is required for production before the MMRDA.

5. 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.

6. The petition is made absolute in terms of prayer clause (a), which reads as follows:

“(a) The Hon'ble Court be pleased to issue a legal heirship certificate to the Petitioner Mrs. Baby Jose under the provisions of Bombay Regulation VIII of 1827 certifying that the Petitioner along with the other heirs mentioned above are the only heirs and legal representatives of the above deceased.”

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

(G. S. PATEL, J.)