

SHEPHALI

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 127 OF 2016**

Dipali Apurva Mehta	...Petitioner
<i>And</i>	
Apurva Bhaskerrai Mehta	...Deceased

Mr. Naushad Engineer, *i/b Keystone Partners, for the Petitioner.*

CORAM: G.S. PATEL, J
DATED: 15th November 2016

PC:-

1. Accepted. The only adult heir is the deceased's mother (the Petitioner's mother-in-law). She has consented. Hence, the proclamation is dispensed with. The Petition is made 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 Apurva Bhaskerrai Mehta, who is said to have died intestate on 7th August 2016 at Muscat. A copy of his death certificate is annexed. The deceased was survived by his widow (the present Petitioner); his son, a minor aged 10 years; and his mother aged 72 years. There are no other heirs. Their names are mentioned in the tabulation below paragraph 1 of the petition.

3. The deceased held property in Mumbai and also in Muscat, Oman. The deceased was working in Muscat, Oman at the time of his death and had a permanent residence at Santacruz (West), Mumbai. This is reflected in his passport.

4. The legal heirship certificate is required by the Ministry of Commerce and Industry in Oman to transfer the deceased's holdings in Muscat to the names of his heirs.

5. The Petitioner's mother-in-law (the deceased's widow) has consented. The Petitioner is the mother and natural guardian of the minor and she undertakes to hold his share in trust.

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 terms of prayer clause (a) in favour of the persons mentioned in the table below paragraph 1, namely, Dipali Apurva Mehta, Hriman Apurva Mehta and Sarojbala Bhaskar Mehta.

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

(G. S. PATEL, J.)