

JSN

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.2 OF 2016**

Ashok Laxman Kadam	...Deceased
<i>And</i>	
Mrs. Sunanda Ashok Kadam	...Petitioner

Mr. R.P. Khobragade, *for the Petitioner.*

**CORAM: G.S. PATEL, J.
DATED: 21st March 2016**

P.C.

1. The Petitioner seeks a Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of one Ashok Laxman Kadam who is stated to have died intestate in Mumbai, where he was ordinarily resident, on 15th August 2009. A copy of his death certificate is annexed. The Petitioner is his widow.

2. The deceased is said to have been survived by the Petitioner and the two unmarried children of the Petitioner and the deceased. The names of the heris are set out in paragraph 4.

3. The deceased was employed in Mumbai Municipal Corporation. He was entitled to pension. His family is entitled to this among other benefits.

4. No application has been made for a Heirship Certificate, Succession Certificate, Letters of Administration or Probate. Proclamation has been dispensed with. There is no impediment to the grant of relief.

5. The Petition is made absolute in terms of prayer clause (a) in favour of all persons mentioned in paragraph 4 viz., Mrs. Sunanda Ashok Kadam, Ms. Ankita Ashok Kadam and Master Akshay Ashok Kadam.

6. It is clarified that they shall all be equally entitled to the deceased's pensionary and other benefits. It is further ordered that the Petitioner shall be entitled to collect and claim this on behalf of the two minor heirs from the Mumbai Municipal Corporation and to give a receipt in full discharge thereof.

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

(G. S. PATEL, J.)