

SHEPHALI

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 51 OF 2016**

Mr. Dilip Vishwas Yande ...Petitioner
And
Wamanrao Narhari Yande ...Deceased

Mr. Rajiv J. Mane, *for the Petitioner.*

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

PC:-

1. Accepted. The only surviving heirs have consented. Hence, proclamation is dispensed with. The Petition is made returnable forthwith.
2. Heard Mr. Mane for the Petitioner.
3. The Petitioner seeks a Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of one Waman Narhari Yande, who is said to have died intestate in Mumbai where he was ordinarily resident, on 17th August 2013. A copy of his death certificate is annexed.

4. The deceased was survived by his brother Vishwas, his unmarried sister Sudha and his nephew Dilip Vishwas Yande. The Petition was filed on 10th August 2015. Vishwas died thereafter on 31st December 2015. The surviving heirs are thus Sudha and Dilip. Dilip is the Petitioner; Sudha has consented. Her consent Affidavit is on file.

5. The Legal Heirship Certificate is required for the purposes joint bank accounts and shares standing in the joint name of the Petitioner and deceased.

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 Petitioner.

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

(G. S. PATEL, J.)