

JSN

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 40 of 2016**

Raju Sambhaji Jadhav	...Deceased
<i>And</i>	
Sanjay Raju Jadhav	...Petitioner

Mr. Yogesh S. Palve, with Ms. Mohammed Manisha for the Petitioner.

**CORAM: G.S. PATEL, J
DATED: 20th December 2016**

PC:-

1. A proclamation has been issued. None have come forward.

2. The Petitioner seeks a Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of one Raju Sambhaji Jadhav, who is said to have died intestate in Dombivli, where he was ordinarily resident, on 13th August 2012. A copy of his death certificate is annexed.

3. The deceased was survived by his widow and two sons. Their names are mentioned in the petition.

4. During his lifetime, the deceased was a permanent resident of Mumbai at Nagobai Sandesh Chawl No.2, Room No.11, Near

Adarsh Vyam School, Bhandup (East), Mumbai 400 042. The parents of the deceased have already passed away. Vijay Raju Jadhav, one of the sons, who had earlier consented to the grant of legal heirship certificate has, I am informed, since passed away on 20th September 2016.

5. This leaves the widow and the younger son Sanjay Raju Jadhav as the only heirs. Sanjay is the Petitioner. The widow has consented. The heirship certificate is required not only in respect of the property mentioned above but also in respect of other properties and further so that the Petitioner can obtain employment in the Central Railway on compassionate ground.

6. Paragraph 6 of the Petition says that Railways have disclosed the name of one Smt. Ranjana as being the wife. It is for this reason that I required a proclamation to be issued. On 31st August 2016, I made it clear that the proclamation ought to be issued to Ranjana at the address mentioned in one of the documents annexed to the Petition. There is an Affidavit of Service showing service of the proclamation. This states that the person named Ranjana accepted the service on 16th September 2016 at the given address. There is no objection or opposition to the Petition.

7. 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.

8. The petition is made absolute in terms of prayer clause (a) in respect of the Petitioner and his mother.
9. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J.)