

JS/V

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.33 OF 2016**

Smt. Devkalidevi Verma	...Deceased
<i>And</i>	
Awadhesh Verma	...Petitioner

**Ms. Aparna Deokar, i/b. M/s. M.P. Vashi & Associates for the
Petitioner.**

**CORAM: G.S. PATEL, J
DATED: 22st April 2016**

PC:-

1. Accepted. The Petitioner is a son of a deceased. All other heirs have consented. Hence, proclamation dispensed with. The Petition is made returnable forthwith.

2. The Petitioner seeks a Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of one Devkalidevi Verma, who is said to have died intestate in Mumbai, where he was ordinarily resident, on 16th July 2008. A copy of her death certificate is annexed. The deceased died intestate. No Will has been found.

3. The Petitioner is a son of the deceased. All other heirs have consented. The deceased was survived by four sons and two

married daughters. Their names are shown in tabulation below paragraph 4 of the Petition. The Petitioner has annexed copies of his Election Card, PAN Card, School Leave Certificate, etc.

4. During her life time the deceased had Stall No.21 and License No.1375 issued by Municipal Corporation of Greater Mumbai at Station Road Bhandup, Mumbai 400 078. The Petitioner has sought the transfer of license to his name. The Municipal Corporation requires the Heirship Certificate. To this end the Petitioner has filed Writ Petition No.608 of 2015. On 1st July 2015, that Petition was disposed of granting Petitioner four months to produce a heirship certificate from the competent Court. It is for this reason that the present Petition has been filed on 9th September 2015.

5. No other Petition for a heirship certificate, succession certificate, probate or letters of administration with or without will annexed has been filed. All other heirs have consented. There is no impediment to the grant of relief.

6. The petition is made absolute in terms of prayer clause (b) with the following clarification.

- (a) In addition it is clarified that for the purposes of the transfer of the Municipal license, the name of the Petitioner shown as Sanjiv Kedarnath Verma or Sanjiv Kedarnath Varma is a reference to the Petitioner in this Petition and as evidenced by his identity

documents annexed as Exhibits “B”, “C” and “C-1” to this Petition.

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

(G. S. PATEL, J.)