

JSN

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION (L) NO. 2175 of 2016**

Shantaram Sadashiv Dhapre	...Deceased
<i>And</i>	
Jaywant Sadashiv Dhapre and Another	...Petitioners

Mr. Prabhu Velar, *for the Petitioners.*

CORAM: G.S. PATEL, J
DATED: 13th December 2016

PC:-

1. Accepted. The Petitioners are the only heirs of the deceased. All the heirs have consented. Hence, issuance of proclamation is dispensed with. Miscellaneous Petition is returnable forthwith and taken up for hearing and final disposal.
2. The Petitioners seek a Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of one Shantaram Sadashiv Dhapre, who is said to have died intestate in Mumbai, where he was ordinarily resident, on 1st May 2013. A copy of his death certificate is annexed. The deceased was survived by his brother and sister, who are today 81 and 93 years respectively. His parents died before him. Their names are mentioned in the tabulation below paragraph 4 of the Petition.

3. Shantaram owned and was in use and possession of Room No.12, Chawl No.2, Peter Misquitta Chawl, Payawadi CHS Society Limited, Nanda Patkar Road, Vile Parle (East), Mumbai 400 057. These premises are part of the SRA scheme and Shantaram's name appears at Sr. No.22 on the list in Annexure-II. The Petitioners have approached the Slum Rehabilitation Authority for substitution of their names in place of Shantaram in Annexure – II. This is why they need a Legal Heirship Certificate.

4. No other Petition for an 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.

5. The petition is made absolute in terms of prayer clause (a) in favour of the persons mentioned in the table below paragraph 4, namely, Jaywant Sadashiv Dhapre and Malti Vasant Dange.

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

(G. S. PATEL, J.)