

JSN

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.157 OF 2015**

Kapildev Devraj Shukla	...Deceased
<i>And</i>	
Gayatri Umakant Shukla alias Mishra	...Petitioner

Mr. D.R. Mishra, *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 Kapildev Devraj Shukla, who is stated to have died in Uttar Pradesh, on 29th July 1994. A copy of his death certificate is annexed. The Petitioner is his daughter-in-law.

2. During his lifetime, the deceased was a tenant of a certain property at Ghatkopar, Mumbai. The deceased was ordinarily resident in Mumbai. This Court, therefore, has jurisdiction.

3. The deceased was survived by the heirs whose names are set out in tabulation below paragraph 4. All of them have granted their consent to this Petitioner. The mother of the deceased died before him and a statement to this effect on oath is to be found in

paragraph 4 in the first sentence below the tabulation. The statement is noted and accepted.

4. The issue of a proclamation has been dispensed with. No other Petition or application has been made for a Heirship Certificate, Succession Certificate, Letters of Administration or Probate. The Heirship Certificate is required in relation to the tenancy premises.

5. The Petition is, therefore, made absolute in terms of prayer clauses (a) and (b) which reads:

“a) That delay of filing this Petition be condoned.”

“b) That Legal Heirship Certificate there by certifying i.e. Shrinivas Kapildev Shukla alias Mishra, Gayatri Umakant Shukla alias Mishra, Shailesh Umakant Shukla, Rakesh Umakant Shukla, Vasant Umakant Shukla, Ramakant Kapildev Shukla alias Mishra, Shivkant Kapildevl Shukla alias Mishra and Sadakant Kapildev Shukla alias Mishra as the recognized legal heirs and representatives of the deceased be granted to the Petitioner.”

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

(G. S. PATEL, J.)