

JSN

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.7 OF 2016**

Vasant Marathe Martin	...Deceased
<i>And</i>	
Dimpoo Vasant Martin & Anr.	...Petitioners

Ms. Monisha Gawde, *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 Vasant Marathe Martin, who is stated to have died intestate in Mumbai, where he was ordinarily resident, on 26th November 2014. A copy of his death certificate is annexed.

2. The deceased is said to have been survived by two children, viz., the present Petitioner, his son and one Mrs. Leena Satish Panicker, his married daughter. Mrs. Leena Panicker has filed Affidavit of Consent.

3. It is also stated that the deceased's wife died on 4th July 2009. A copy of her death certificate is also annexed.

4. During his lifetime the deceased was a tenant of certain premises. The Heirship Certificate is required in relation to these premises especially since there is a proposal of reconstruction or redevelopment of the building.

5. No other Petition for representation to the estate having been filed, and proclamation having been dispensed with, there is no impediment to the grant of relief.

6. The Petition is made absolute in terms of prayer clause (a) which reads:

"a) This Hon'ble Court be pleased to issue a Legal Heirship Certificate to the Petitioners under the provision of Bombay Regulation VIII of 1827 certifying that the Petitioners along with the heir mentioned above are the only heirs and legal representatives of the said deceased viz., Vasant Marathe Martin."

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

(G. S. PATEL, J.)