

SHEPHALI

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
TESTAMENTARY AND INTESTATE JURISDICTION  
MISCELLANEOUS PETITION NO. 15 OF 2016**

|                            |               |
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| Mashyaka Babu Kunchikorve  | ...Petitioner |
| <i>And</i>                 |               |
| Babu ikantappa Kunchikorve | ...Deceased   |

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**Mr. Suffiyan Lakdawala, for the Petitioner.**

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**CORAM: G.S. PATEL, J  
DATED: 21st June 2016**

**PC:-**

1. There are certain inaccuracies in the Petition. Leave to amend. Amendment to be carried within on or before 24th June 2016.
  
2. Accepted. All the legal heirs have consented. Hence, proclamation is dispensed with. The Petition is made returnable forthwith.
  
3. The Petitioner seeks a Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of one Babu Kantappa Kunchikorve, who is said to have died intestate in Mumbai on 16th July 2015. The deceased was ordinarily residing at Zopada No. 150, Kunchikorve Nagar, 60 Feet Road, Kunchikorve

Galli, Near Ramia Hotel, Dharavi. A copy of his death certificate is annexed. The deceased was survived by his widow, the Petitioner, two sons, a daughter and the deceased's mother. The deceased's father is also alive but he is not a heir in Class I, since he falls in Class II. In any case, the mother has filed a consent Affidavit, and so has the father. In addition, the two sons and the daughter have granted consent. All these consent Affidavits are on record.

4. The Legal Heirship Certificate is required in relation to an application to be made for employment on compassionate grounds to MCGM, with which the deceased worked in his lifetime.

5. 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.

6. The Petition is made absolute in terms of prayer clause (a) in respect of the heirs shown at Sr. Nos. a, b, c, d and e of the table.

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

**(G. S. PATEL, J.)**