

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***T. & I. J.*****MISCELLANEOUS PETITION NO. 73 OF 2017****Melwin Luis Fernandes****alias Melwin Louis Fernandes****..... Deceased****Candida Melwin Fernandes****..... Petitioner**

Mr.D.R.Shah for the Petitioner.

CORAM : R.D. DHANUKA, J.**DATE : 25th JULY, 2017****P.C.**

By this petition filed under section 2 of the Bombay Regulation VIII of 1827, the petitioner who is widow of Mr.Melwin Luis Fernandes alias Melwin Louis Fernandes seeks issuance of the legal heirship certificate. The certificate is required by the petitioner for collecting certain documents lying with HSBC Bank which were deposited by the deceased husband of the petitioner while taking loan. It is the case of the petitioner that the said deceased left behind him the petitioner as well as the minor son whose name is described in paragraph (5) of the petition as the only his legal heirs and next-of-kins according to Indian Succession Act, 1925. The minor is educated and staying under care and protection of the petitioner/natural guardian. The parents of the deceased are predeceased. The deceased left no daughter. The death certificate of the said deceased is annexed.

2. In view of the aforesaid facts, proclamation is dispensed with. The statements made by the petitioner in the petition as well as made by the learned counsel for the petitioner across the bar are accepted. Petition is made absolute in terms of prayer clause (a). No order as to costs.

(R.D.DHANUKA, J.)