

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

MISCELLANEOUS PETITION NO.75 OF 2017

Leeladevi Hiralal Jain	Petitioner
Versus	
Hiralal Ranglal Jain	Deceased

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Mr. A.S. Tripathi, for the Petitioner.

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CORAM : S.C.GUPTE, J.

DATE : 8 NOVEMBER, 2017

P.C. :

. The Miscellaneous Petition seeks legal heirship certificate under Section 2 of the Bombay Regulation VII of 1827. The Petitioner requires original documents, which were deposited by the deceased Hiralal Ranglal Jain with LIC Housing Finance Limited for availing of a loan, after the closure of the loan account.

2. The Petitioner is the widow of the deceased Hiralal Ranglal Jain. Apart from the Petitioner, there are four other legal heirs of the deceased, the names of whom are set out in paragraph 4 of the petition. The petition was accepted and a proclamation was directed to issue on 25.07.2017. In pursuance of that order, a proclamation has been duly issued and displayed on the notice-board of this Court. There is an affidavit of proof of service. The legal heirs of the

deceased, other than the Petitioner, who are described in the petition, have already affirmed consent affidavits consenting to the grant of legal heirship certificate to the Petitioner without justifying surety for their respective shares. There are no objections received in response to the proclamation.

3. This Court is satisfied, after having regard to the averments made in the Miscellaneous Petition and the documents submitted therewith including the death certificate of the deceased and other documents including the consent affidavits of the legal heirs of the deceased, about the Petitioner's claim to legal heirship.

4. Accordingly, the Miscellaneous Petition is allowed in terms of prayer clause (a).

5. All parties, including LIC Housing Finance Limited, to act on the authenticated copy of this order.

(S.C. GUPTE, J.)