

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

MISC. PETITION NO. 77 OF 2017

Devraj Krishna Aiyar] Deceased

Sarita Aiyar] Petitioner

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Mr. Bhalchandra Saraf, learned Counsel for the applicant.

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CORAM : R.G. KETKAR, J.

DATE : 7th AUGUST, 2017.

P.C.

Heard Mr. Saraf, learned Counsel for the petitioner.

2. By this Petition under Bombay Regulation Act VIII of 1827, [for short 'Act'] the petitioner has prayed for issuing Heirship Certificate certifying that petitioner namely Sarita Aiyer being widow of the deceased is the only legal heir and representative of deceased Devraj Aiyer under the provisions of the Act.

3. It is asserted that Devraj Aiyer died at Mumbai on 7th December, 2016. At the time of his death, he was residing at 678, Laxmi Villa, Noor Mahal, Flat No.4/5/6, 1st Floor, Karnataka Road, Wadala (W), Mumbai-400 031. Despite due and diligent search, no Will has been found. In paragraphs 3 and 4 of the Petition, it is

asserted that deceased died issueless. Parents of the deceased pre-deceased him. Save and except the petitioner, deceased left no other legal heirs. In paragraph 4, it is stated that there are no other legal heirs and legal representatives of the deceased and, therefore, there is no legal impediment for grant of Heirship Certificate in favour of the petitioner.

4. In view thereof, Misc. Petition is made returnable forthwith and taken up for final hearing. Petition is made absolute in terms of paragraph 11 of the Petition. Issuance of Heirship Certificate is expedited. Petition stands disposed of accordingly. All the parties to act upon authenticated copy of this order.

[R.G. KETKAR, J.]