

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.96 OF 2016

Bhupsing Totaram Thakur ... Deceased

Jeetu Netrapal Thakur ... Petitioner

Mr. Kuldeep U. Nikam for Petitioner.

CORAM : R. G. KETKAR, J.
DATE : AUGUST 24, 2017

P.C. :

Heard Mr. Nikam, learned Counsel for the petitioner at length.

2. By this Petition under Section 2 of Bombay Regulation VIII of 1827, petitioner has prayed for issuance of Heirship Certificate certifying that petitioner along with Vimla Netrapal Thakur, Anil Netrapal Thakur and Laltesh Netrapal Thakur are the heirs and legal representatives of Bhupsing Totaram Thakur. Mr. Nikam submitted that Bhupsing Totaram Thakur married to Sushila. She died on 18.05.1976. Bhupsing died on 06.03.1978 leaving behind two sons Kailashi and Deepchand. Deepchand died on 25.10.1983. Kailashi died on 09.07.1999. Both were bachelors. He submitted that there are no Class-I heirs of Bhupsing other than wife Sushila and two sons. Revati Totaram Thakur is a brother of the deceased Bhupsing Totaram Thakur. He is a Class-II heir. He married to Dankaur. Dankaur died on 10.12.1988. Revati died on 08.11.1990 leaving behind son Netrapal. Netrapal married to Vimla. Netrapal died on 07.04.2004 leaving behind widow Vimla and three sons, namely, Jeetu, Anil and Laltesh. He submitted that Jeetu Netrapal Thakur has filed the present Petition and the other legal representatives have filed consenting affidavits giving no objection for issuing heirship certificate to the petitioner without

justifying surety. They have also prayed for dispensing with notice / citation of the Petition upon them.

3. In view of these submissions, Petition is made absolute in terms of prayer clause (a). Order accordingly.

(R. G. KETKAR, J.)

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