

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

MISCELLANEOUS PETITION NO.94 OF 2017

Mrs. Devika Vikram Sardar	
w/o. Vikram Motiram Sardar	Petitioner
Versus	
Shakuntala Vikram Sardar	Deceased

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Mr. Rahul I. Tiwari, 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 such heirship certificate for claiming provident fund and other superannuation benefits of the deceased.

2. The Petitioner is the mother of the deceased Shakuntala Vikram Sardar. Apart from the Petitioner, there are two other legal heirs of the deceased, the names of whom are set out in paragraph 4 of the petition. The petition was accepted. A proclamation was issued and displayed on the notice-board of this Court. There is an affidavit of proof of such display. 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 in respect of their 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 to act on the authenticated copy of this order.

(S.C. GUPTE, J.)