

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
TESTAMENTARY AND INTESTATE JURISDICTION**

**MISC. PETITION NO. 161 OF 2016**

Ramanugrah Sarjuprasad Shastri .. Deceased  
V/s.  
Ms. Indu R. Shastri and Ms. Saroj R. Shastri .. Petitioners

Ms. Indu R. Shastri and Ms. Saroj R. Shastri appeared in person.

**CORAM : K.R. SHRIRAM, J.**  
**DATED : 8<sup>TH</sup> MARCH, 2017.**

**P.C.**

1 Leave to amend granted. Amendment to be carried out forthwith. Re-verification dispensed with.

2 The Petition was accepted on 04.01.2017 and was made returnable after eight weeks. The Proclamation was issued on 24.01.2017 and served upon Mr. Girish R. Shastri and Mr. Dilip R. Shastri mentioned at Sr. Nos.1 and 4 of paragraph 4 of the Petition. The Proclamation has been served on 01.02.2017 upon Mr. Girish R. Shastri and on 02.02.2017 upon Mr. Dilip R. Shastri. Affidavit of service of one Mr. P.V. Kajrekar, bailiff working in the office of Sheriff of Mumbai, affirmed on 18.02.2017 is on record. The 30 days period have expired. No objection is received from either Girish R. Shastri or Mr. Dilip R. Shastri.

3           The persons mentioned against item Nos.3 and 6 in paragraph 4 of the Petition, have consented and persons at Sr. Nos.2 and 5 in paragraph 4 are the petitioners.

4           Misc. Petition is taken up for hearing and final disposal.

5           The deceased Ramanugrah Sarjuprasad Shastri died on 14.06.2016. A copy of the Death Certificate is at Exh.A to the Petition. The wife of the deceased viz. Vimala Ramanugrah Shastri also known as Bimala, died on 24.12.1997, i.e., pre-deceased the deceased and the copy of the Death Certificate is at Exh.B to the Petition. The six legal heirs of the deceased are listed in paragraph 4 of the Petition. The petitioner is seeking issuance of Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of Ramanugrah Sarjuprasad Shastri who is stated to have died intestate on 14.06.2016 in Mumbai where he was ordinarily resident.

6           During his life time the deceased was filing Income Tax returns and was assessed to Income Tax. This Heirship Certificate is being obtained to file Income Tax returns of the estate of the deceased and register the petitioners as legal heirs of the deceased by filing online form.

7           No other Petition, it is stated have been filed before any District Court or district delegate or to any High Court for Legal Heirship Certificate in respect of the deceased. It is also stated that no application has been made for probate of any Will or for letters of administration with or without Will. Therefore, there is no impediment in granting the relief as sought.

8           The Petition is made absolute in terms of prayer clause (a) in favour of Mr. Girish R. Shastri, Ms. Saroj R. Shastri, Ms. Geeta R. Shastri, Mr. Dilip R. Shastri, Ms. Indu R. Shastri and Mr. Amit S. Shastri. Petition is accordingly disposed.

9           All parties to act on a copy of this order duly authenticated by the Associate of this court.

**(K.R. SHRIRAM, J.)**