

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

MISCELLANEOUS PETITION NO. 4 OF 2017

Mr.Sandeep Shashikant Salvi .. Deceased

Smt. Vimal Shashikant Salvi .. Petitioner

Ms.Madhuri Gaikwad i/b MG Legal for petitioner.

**CORAM : K.R.SHRIRAM, J.
DATE : 1ST MARCH, 2017**

P.C.

1 Accepted.

2 The petitioner is one of the legal heir of the deceased Sandeep Shashikant Salvi who died at Mumbai on 16th August 2014. Apart from the petitioner there are other legal heirs who are mentioned in paragraph 4 of the petition. The petitioner is the mother of the deceased. Mr.Daniel Shashikant Salvi and Mr.Nikhil Shashikant Salve are the brothers and Mrs.Latika Raju Gajbhiv is the sister of the deceased. It is also stated that the father of the deceased predeceased the deceased. A copy of the Death Certificate is also annexed to the petition at Exh.'A'. All the other legal heirs have filed consent affidavits, all dated 16th February 2017. Hence issuance of proclamation is dispensed with and the miscellaneous petition is made returnable forthwith and taken up for final disposal.

3 The petitioner seeks a Legal Heirship Certificate under Section 2 of the Bombay Regulation Act VIII of 1827 in respect of one Sandeep Shashikant Salvi who is stated to have died intestate in Mumbai on 16th August 2014. The deceased was a permanent resident of Mumbai and at the time of his death had a fixed place of abode at Brendon House, Room No.1, Khalai Village, Kirol Road, Vidyavihar (W), Mumbai 400 086. During his lifetime, the deceased worked in Voltas Limited at Qatar Branch as Driver. It is stated that the petitioner is required to produce the heirship certificate for obtaining balance salary, leave encashment and gratuity among other things. It is also stated that the petitioner has not filed nor made any application to any District Court, District Delegate or any High Court for probate of any Will or for letters of administration with or without a Will annexed thereto or for Succession Certificate to the property and credits of the deceased. There is no impediment to grant the reliefs.

4 Therefore, the petition is made absolute in terms of prayer clause (a) in favour of Smt. Vimal Shashikant Salvi, Mr.Daniel Shashikant Salvi, Mr.Nikhil Shashikant Salve and Mrs.Latika Raju Gajbhiv.

5 The petition accordingly disposed.

6 All concerned to act on a copy of this order authenticated by Associate of the Court.

(K.R. SHRIRAM, J.)