

Arun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 39 OF 2018**

Ghanshyam Shivaram Gajare ...Deceased

Savita Ghanshyam Gajare ...Petitioner

Mr Shaun Pinto, *for the Petitioner.*

CORAM: G.S. PATEL, J
DATED: 20th August 2018

PC:-

1. Accepted. The Petitioner is the widow of the deceased. The only other heir is their minor adopted daughter. Hence proclamation is dispensed with. The Petition is made returnable forthwith and taken up for hearing and final disposal.

2. The Petitioner seeks a Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of one Ghanshyam Shivaram Gajare, who died in Uttar Pradesh on 7th August 2017 while on a visit there. He was otherwise ordinarily resident in Mumbai. A copy of his death certificate is annexed. Gajare is said to have died intestate.

3. During his lifetime, Gajare lived at D-602, Pranay Nagar, Ram Mandir Road, Near Anandrao Pawar School, Vazira Naka, Borivali (West), Mumbai 400 092.
4. He was a retired officer with the MHADA. After taking VRS, he started his own business.
5. The minor daughter, Samruddhi, was adopted pursuant to a Judge's Order dated 16th September 2002.
6. There are no other heirs. Gajare's mother, Lilabai, died before him. A copy of her death certificate is also annexed.
7. The Legal Heirship Certificate is required by way of abundant caution in regard *inter alia* possibly for the deceased's business affairs.
8. No other Petition for an heirship certificate, succession certificate, probate or letters of administration with or without Will annexed has been filed. There is no impediment to the grant of relief.
9. The petition is made absolute in terms of prayer clause (a).
10. Certificate to be issued expeditiously. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J.)