

Arun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION (L)NO. 531 OF 2018**

Kanji Shamji Parmar ...Deceased

Aditya Kanji Parmar Alias Aditya Vivek Nirgude ...Petitioner

Mr Rohan Sawant, i/b Mr Sanjay S Gawde, for the Petitioner.

CORAM: G.S. PATEL, J

DATED: 26th June 2018

PC:-

1. The Petition was accepted on 3rd April 2018 and a proclamation was directed to be issued. This has been done and there is an Affidavit on record.
2. The Petitioner seeks a Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of one Kanji Shamji Parmar, who is said to have died intestate in Mumbai, where he was ordinarily resident, on 23rd September 2002. A copy of his death certificate is annexed.
3. During his life time the deceased lived at Municipal Chawl, H/64, Dr PG Solanki Path, Behind Minerva Cinema, Bombay 400 007.

4. According to the Petitioner he is the sole heir of the deceased. The parents of the deceased died before him. The deceased was unmarried and had no children except the Petitioner who is said to be his adopted son. A copy of the Adoption Deed dated 28th November 2000 is annexed as Exhibit “B” to the present Petition.
5. None have come forward in response to the proclamation.
6. The Legal Heirship Certificate is required for production before MHADA/SRA and other authorities in regard to the transfer of the residential premises.
7. The Petitioner was a minor when the deceased died on 23rd September 2002. The Petitioner attained the majority on 21st March 2017 (there is an error in the date of birth of Petitioner in paragraph 10 of the Petition which may be corrected forthwith without need of reverification in Court).
8. No other Petition for a 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) in favour of the Petitioner.
10. Certificate be issued expeditiously.

11. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J)