

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 135 OF 2017**

Sophie Pelis Mascrenhas

...Petitioner

And

Pelis Kashmeer Mascarenhas alias Kamil
Mascarenhas

...Deceased

Mr Ravish Mishra, i/b R Khilare, for the Petitioner.

**CORAM: G.S. PATEL, J
DATED: 23rd January 2018**

PC:-

1. Accepted. The Petitioner is the widow of the deceased. The other heirs are the their daughter and a son. They have consented. Hence, issuance of 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 Pelis Kashmeer Mascarenhas alias Kamil Mascarenhas, who is said to have died intestate in Mumbai on 31st August 2014. He was ordinarily resident of Type-III, 4/8, MSEB Colony, National Park, Borivali East, Mumbai 400 066. A copy of his death certificate is annexed.

3. The deceased was survived by his widow (the Petitioner), one daughter and a son. They both have consented. Their Consent Affidavits are at Exhibits “B” and “C”. Their names are mentioned in the tabulation below paragraph 4 of the petition.

4. The Legal Heirship Certificate is required for production to the Maharashtra State Electricity Distribution Company Limited (“MSEDCL”) for obtaining employment on compassionate ground and for production before the other authorities.

5. All the heirs have granted consent. 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.

6. The petition is made absolute in terms of prayer clause (a) in favour of the persons mentioned in the table below paragraph 4, namely, Sophi Pelis Mascarenhas, Carol Pelis Mascarenhas and Ivan Pelis Mascarenhas.

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

(G. S. PATEL, J)