

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 43 OF 2018**

Jaysham Ramrao Pete	...Petitioner
<i>And</i>	
Anandi Pote Alias Anandi Ramrao Pote	...Deceased

Ms Reshmi Milind Parab, *for the Petitioner.*

**CORAM: G.S. PATEL, J
DATED: 19th April 2018**

PC:-

1. Accepted. The Petitioner is the only heir and legal representative of the deceased. Hence, proclamation dispensed with. The Petition is taken up forthwith 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 Anandi Pote Alias Anandi Ramrao Pote, who is said to have died intestate in Mumbai, on 20th February 2014. A copy of her death certificate is annexed. At the time of death, the deceased lived at Flat No. 6, 4th Floor, Shivshakti CHS, Agar Bazar, Mumbai 400028.

3. According to the Petitioner, the deceased Anandi was unmarried. She had no children. Her parents died before her. Her only relative was her brother, the Petitioner. Thus, the Petitioner is the only surviving legal heir of the deceased.

4. The Legal Heirship Certificate is required for the purposes of submission to MHADA in regard to Room No. 21-A, 1st Floor, Visawa Building, 141/141A, Bhavani Shankar Road, Dadar (West), Mumbai 400 028 which is a tenanted premises.

5. 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 Petitioner.

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

(G. S. PATEL, J)