

Varsha

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 3 OF 2018**

Kamkalar Pundalik Thakur and Anr	...Deceased
<i>And</i>	
Sharmilee Milind Dhumde	...Petitioner

Mr Jagdish S. Singh, *for the Petitioner.*

**CORAM: G.S. PATEL, J
DATED: 30th January 2018**

PC:-

1. Accepted. The Petitioner is the only surviving heir of the deceased. Hence, issuance of proclamation is dispensed with. Petition is made returnable forthwith and is taken 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 her father Kamlakar Pundalik Thakur and her mother Vijaya Kamlakar Thakur. Kamlakar Pundalik Thakur died in Mumbai on 23rd May 2007 and Vijaya Kamlakar Thakur died in Navi Mumbai on 4th August 2015. The death certificates are annexed. The Petitioner had a sister. She died on 20th September 2009. Her death certificate is also annexed. Neither Kamlakar nor Vijaya left Wills.

3. During their lifetime Kamlakar and Vijaya lived in Room No. 11, BIT Chawl No. 7, First Floor, Chinch Bunder, Dr Maheshwari Road, Mumbai 400 009. Other than the Petitioner, there are no other heirs of Kamlakar and Vijaya. All have died before them.

4. There are several properties mentioned in paragraph 6 and in respect of which a Legal Heirship Certificate is required to be produced.

5. No Petition has been filed for probate, Letters of Administration with or without Will annexed or Succession Certificate. 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 heir mentioned in paragraph 3, namely Mrs Sharmilee Milind Dhumde.

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

(G. S. PATEL, J)