

Arun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 60 OF 2018**

Haroon Abdul Haque Momin, Hania Mohammed ...Deceased
Haroon Momin and Hanzala Haroon Momin

Versus

Abdulhaque S Momin & Anr ...Petitioners

Mr SU Lakdawala, for the Petitioners.

CORAM: G.S. PATEL, J

DATED: 21st June 2018

PC:-

1. Accepted. Proclamation dispensed with. The Petition is made returnable forthwith and taken up for hearing and final disposal.

2. The Petitioners seek a Legal Heirship Certificate in respect of one Haroon Abdul Haque Momin, one Hania Mohammed Haroon Momin and one Hanzala Haroon Momin. Haroon and Hania were killed in a tragic car accident in Saudi Arabia on 23rd October 2017. Hanzala Haroon Momin died on 30th October 2017 due to the injuries he suffered in the same car accident. There are no other heirs.

3. The Petitioner is the father of the first deceased Haroon Abdul Haque Momin and the grandfather of two minor deceased. The 2nd Petitioner is the Haroon Abdul Haque Momin's widow and the mother of the two minor children.

4. Although the three died in Saudi Arabia, their permanent residence was at B/104, Al Akbar Patel Estate Road, Near Jogeshwari Station, Momin Nagar, Jogeshwari (West), Mumbai 400 102. Haroon Abdul Haque Momin died intestate. The two other deceased were minor and were incapable of any testamentary disposition.

5. The Petitioners are the only two heirs of the deceased Haroon as also of the two minors.

6. The Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 is required for lodging an insurance claim and other purposes.

7. 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.

8. The petition is made absolute in terms of prayer clause (a) in favour of the heirs mentioned in the Petition.

9. The certificate will be issued expeditiously.

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

(G. S. PATEL, J)