

Arun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
TESTAMENTARY AND INTESTATE JURISDICTION  
MISCELLANEOUS PETITION NO. 129 OF 2017**

Lachhmandas Phagumal Sharma ...Deceased

Varsha G Bolakani ...Petitioner

---

**Mr Sagar P Batawa, i/b V Daware, for the Petitioner.**

---

**CORAM: G.S. PATEL, J**

**DATED: 26th June 2018**

**PC:-**

1. A proclamation was ordered to be issued on 3rd April 2018. This is been done. There is an Affidavit proving the proclamation. None have come forward.

2. The Petitioner seeks a Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of one Lachhmandas Phagumal Sharma, who is said to have died intestate in Mumbai, where he was ordinarily resident, on 11th November 2008. A copy of his death certificate is annexed.

3. At the time of his death, the deceased lived at Room No. 357, RC Barrack No.30, Chembur Camp, Mumbai 400 074.

4. According to the Petitioner the deceased was survived by herself, being his niece; and his two nephews, the brothers of the Petitioner. The Petition states that the deceased's parents died before him. His wife Jaywanti died on 21st May 2003. A copy of death certificate is also on record. The deceased's brother Vishambar died on 28th May 1984 as a bachelor without lineal descendants. His other brother Hariram died on 3rd August 1992. A copy of his death certificate is also available. Hariram's wife Padma died on 28th August 2003 and her death certificate is available. The present Petitioners are the children of Hariram and Padma. Thus they say that they are the only legal heirs of the deceased.

5. The Legal Heirship Certificate is required for production before the society at Chembur Camp and for other requirements in regard to the deceased's properties.

6. 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.

7. The petition is made absolute in terms of prayer clause (a) in favour of all the heirs.

8. Certificate be issued expeditiously. All concerned to act on an authenticated copy of this order.

**(G. S. PATEL, J)**