

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 78 OF 2018**

Alamgir Akhlaque Ahmed Shaikh	...Deceased
<i>And</i>	
Mohammed Ali Alamgir Shaikh	...Petitioner

Mr Hafeez Patanwala, *for the Petitioner.*

**CORAM: G.S. PATEL, J
DATED: 29th June 2018**

PC:-

1. Accepted. The Petitioner is one of the heirs of the deceased. The other heirs have consented. Hence, 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 Alamgir Akhlaque Ahmed Shaikh, who is said to have died intestate at 807, 8th Floor, Tehseen Tower, 3rd Sankli Street, Byculla, Mumbai 400 008, where he was ordinarily resident, on 24th February 2018. A copy of his death certificate is annexed.

3. The deceased was survived by his widow, two daughters, one son and his mother (whose name has been added by amendment).

Their names are mentioned in the tabulation below paragraph 4 of the petition. The Petitioner is the son. All other heirs including deceased's mother have consented. The deceased's mother's Consent Affidavit is tendered and is taken on record.

4. The Petition states that the deceased was engaged in a recruitment agency registered with the Indian Government by name M/s. Al-Saif Overseas Consultants with a registered office at Byculla. This was a proprietorship firm. The registration of the recruiting agency sought to be transferred in the name of the Petitioner. The Legal Heirship Certificate is required for this purpose.

5. 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.

6. The petition is made absolute in terms of prayer clause (a).

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

(G. S. PATEL, J)