

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 91 OF 2017**

Yellappa Hanumantu Gaigawali	...Deceased
<i>Versus</i>	
Shirpal Yellappa Gaigawali	...Petitioner

Ms Dipali Ghodeswar, i/b Ramji Gupta, for the Petitioner.

**CORAM: G.S. PATEL, J
DATED: 10th January 2018**

PC:-

1. Accepted. Having regard to the relationship of the parties, the issuance of proclamation is dispensed with, and 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 Yellappa Hanumantu Gaigawali, who is said to have died intestate in Mumbai, where he was ordinarily resident, on 4th September 1998. A copy of his death certificate is annexed.

3. During his lifetime, the deceased was working as a sweeper with MHADA. He was survived by his widow and three sons,

second of which is the petitioner. His parents died before him. One other son died on 21st April 2007. His death certificate is annexed. The names of the heirs are set out in a tabulation below paragraph 5. The Legal Heirship Certificate is required for the purposes of employment with MHADA on compassionate ground. The other heirs have consented in the joint affidavit and have given no objection.

4. All the heirs have granted consent. 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.

5. The delay being condoned, the petition is made absolute in terms of prayer clause (a) in favour of the Petitioner and other persons mentioned in a table below paragraph 5, namely, Smt Kalawani Yellappa Gaigawali, Ajay Yellappa Gaigawali, Shripal Yellappa Gaigawali, and Suraj Yellappa Gaigawali.

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

(G. S. PATEL, J)