

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 164 OF 2017**

Steve Monserrate	...Deceased
<i>And</i>	
Constancia Angelo Monserrate	...Petitioner

Ms Nerissa M Almeida, for the Petitioner.

**CORAM: G.S. PATEL, J
DATED: 1st March 2018**

PC:-

1. Ms Almeida tenders a Consent Affidavit. It is taken on record.

2. Accepted. The only other heir has consented. Hence, issuance of proclamation dispensed with. The Petition is made returnable forthwith and taken up for hearing and final disposal.

3. The Petitioner seeks a Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of one Steve Monserrate, who is said to have died intestate in Mumbai, where he was ordinarily resident, on 2nd September 2016. A copy of his death certificate is annexed.

4. The deceased was a bachelor. He was survived by his father and mother. Their names are mentioned below paragraph 4 of the petition.
5. The Legal Heirship Certificate is required for the purposes of transfer of dues and end of service benefits.
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 the persons mentioned in the table below paragraph 4, namely, Constancio Angelo Monserrate and Elizabeth Peter Monserrate.
8. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J)