

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 150 OF 2017**

Balkrishna Hiraji Patil & Ors	...Petitioners
<i>And</i>	
Sukur Namaji Patil	...Deceased

Mr Prabhu Velar, *for the Petitioners.*

CORAM: G.S. PATEL, J
DATED: 30th January 2018

PC:-

1. The Petition was accepted on 21st November 2017 and a proclamation was ordered to be issued. That is done. There is an Affidavit of Service on file.

2. The Petitioner seeks a Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of one Sukur Namaji Patil, who is said to have died intestate in Mumbai, where he was ordinarily resident, on 21st August 1992. A copy of his death certificate is annexed. The Petitioners are the nephew and niece of the deceased who is said to have died without issue, his wife and parents having died before him. There are said to be no other siblings, except the father of the Petitioner, i.e., the deceased's brother.

3. The Legal Heirship Certificate is required in respect of an immovable property at Chembur and property card.
4. Despite issuance of proclamation, none have come forward. 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 petition is made absolute in terms of prayer clause (a) in favour of the Petitioners.
6. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J)