

Shubham

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 151 OF 2017**

Jethi Jiva Wagh	...Deceased
<i>And</i>	
Vinod Jiva Wagh	...Petitioner

Mr Manish Rai, for the Petitioner.

**CORAM: G.S. PATEL, J
DATED: 31st January 2018**

PC:-

1. Accepted. The other heirs have consented. Hence, proclamation dispensed with. Petition made returnable forthwith and taken up for hearing and final disposal.

2. The Petitioner seeks a Legal Heirship Certificate under Section (2) Bombay Regulation VIII of 1827 in respect of one Jethi Jiva Wagh, who is said to have died intestate on 26th December 1986 in Mumbai, where she was ordinarily resident at Mahatma Gandhi Hospital staff Quarters, Room No. 128, Dr. M. S. Rao Road, Parel, Mumbai 400 012. A copy of her death certificate is annexed.

3. The deceased left no Will and none has been found. The deceased was survived by her five heirs whose names are mentioned

in the table below paragraph 3, namely three sons and two daughters. The Petitioner is one of the three sons. There are no other heirs. The husband of the deceased died before her. The other heirs have consented.

4. During her lifetime, the deceased was working with the Municipal Corporation of Greater Mumbai as a Sweeper. The Legal Heirship Certificate is required by the Petitioner for an application for employment on compassionate ground.

5. There is no impediment to the grant of relief.

6. The Petition is made absolute in terms of prayer clause (a) in favour of the persons mentioned in the tabulation below paragraph 3 of the Petition, namely, Jinu Jayanti Parmar nee Jinu Jiva Wagh, Dina Kimji Makawana nee Dina Jiva Wagh, Vinod Jiva Wagh, Ramesh Jiva Wagh, Manish Jiva Wagh.

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

8. Issuance of Legal Heirship Certificate is expedited.

(G. S. PATEL, J)