

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 158 OF 2017**

Amol Shripad Divkar	...Petitioner
<i>And</i>	
Rajshree Amol Divkar	...Deceased

Ms Shraddha Birari, *for the Petitioner.*

CORAM: G.S. PATEL, J
DATED: 23rd January 2018

PC:-

1. Accepted. The Petitioner is the husband of the deceased. The only other heir is their son. He has consented. Hence, issuance of 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 Rajshree Amol Divkar, who is said to have died intestate in Mumbai on 29th July 2005. She was ordinarily resident at 101, “Kedar”, Kalpak Estate, Shaikh Misri Road, Antop Hill, Mumbai 400 037. A copy of her death certificate is annexed. The only other heir has consented and his Consent Affidavit is at Exhibit “B”. The heirs’

names are mentioned in the tabulation below paragraph 4 of the petition.

3. The Legal Heirship Certificate is required for production in respect of PPF Account with the Bank of India.

4. 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 persons mentioned in the table below paragraph 4, namely, Dr Amol Shripad Divkar and Mr Jasraj Amol Divkar.

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

(G. S. PATEL, J)