

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 174 OF 2017**

Fakir Mohammed Shaikh	...Deceased
<i>And</i>	
Amina Fakir Mohammed Shaikh	...Petitioner

Mr Dilip Ghodeswar, *i/b Ramji B Gupta, for the Petitioner.*

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

PC:-

1. Accepted. All the other heirs have consented. Hence, issuance of proclamation 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 Fakir Mohammed Shaikh, who is said to have died intestate in Karnataka, where he was ordinarily resident, on 21st August 2009 but left property in Mumbai. A copy of his death certificate is annexed.

3. The deceased was survived by his widow and two daughters. Their names are mentioned in the tabulation below paragraph 4 of the petition.

4. The Legal Heirship Certificate is required for the purposes of family pension.
5. 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.
6. The petition is made absolute in terms of prayer clause (a) in favour of the persons mentioned in the table below paragraph 4, namely, Amina Fakir Mohammed Shaikh, Saira Banu Fakir Mohammed Shaikh and Khajabi Fakir Mohammed Shaikh.
7. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J)