

Arun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 28 OF 2018**

Kareshan Sing Dhuliram Parche ...Deceased

Balvinder Kaur K Parche ...Petitioner

Mr N Shimpi, *i/b Ms RJ Kaur, for the Petitioner.*

CORAM: G.S. PATEL, J

DATED: 15th June 2018

PC:-

1. On 6th April 2018, I accepted the Petition and, for the reasons stated in that order directed the issue of a proclamation. There is an Affidavit dated 12th June 2018 proving publication of the proclamation. Publication was permitted since the Petitioner was unaware of the names and addresses of the children, if any, of the deceased by his previous marriage. The publication is issued on 19th May 2018 in the Free Press Journal in English and on 29th May 2018 in Hamara Mahanagar in Hindi. None have come forward, I will therefore take up the Petition 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 Kareshan Sing Dhuliram Parche, who is said to have died intestate at Mumbai where he was ordinarily resident, on 8th August 2017. A copy of his death certificate is annexed.

3. During his life time the deceased had a residence at Room No.25, Building No.6, first floor, MBPT Colony, Sadabhavan Nagar, Antop Hill, Wadala (E), Mumbai 400 037.

4. It is said that the deceased was survived by the Petitioner. His previous wife died sometime ago but those details are unavailable. The Petitioner and deceased had no children of their own. The deceased's parents died before him. On these representations I have allowed the matter to proceed.

5. During his lifetime deceased worked with the Mumbai Port Trust in the administrative department. His widow seeks an heirship certificate to apply for employment and for transfer of the deceased's service dues to her name.

6. No other Petition for Probate, heirship certificate, succession certificate, 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. The certificate will be issued expeditiously.

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

(G. S. PATEL, J)