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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY & INTESTATE JURISDICTION

MISCELLANEOUS PETITION NO.38 OF 2019

Kapoorji Sisodia	...Deceased
And	
Bhawaridevi B. Sisodia	...Petitioner

None for for the Petitioner.

CORAM : R.D. DHANUKA, J.
DATE : 5TH MARCH, 2019.

P.C. :-

1. By this petition filed under section 2 of the Bombay Regulation VIII of 1827, the petitioner who is the son of the deceased BhagatSingh Kapoorji Sisodia @ Bhagatsingh Sisodiya @ Kapoorji Bhagatsingh @ Sisodia Bhagat Singh Kapoorji, who died on 20th February, 2016 seeks heirship certificate. A copy of the death certificate of the deceased is annexed to the petition.

2. In paragraph 4 of the petition, it is averred that the said deceased died intestate leaving behind him his legal heirs and next of kin as the only surviving heirs and next of kin according to the Hindu Succession Act applicable to the said deceased. In this paragraph, the names of the legal heirs and next of kin of the said deceased are disclosed. The mother of the deceased predeceased

the deceased. The deceased left behind his widow, the daughter and sons, whose names are mentioned in paragraph 4 of the petition.

3. The petitioner has annexed the consent affidavits of Lalit Bhagatsingh Sisodia, Jayesh Bhagatsingh Sisodia and Jyotsna Bhagatsingh Sisodia giving their full and free consent to the petitioner for grant of legal heirship certificate without service of any citation / notice upon them without any surety being justified for their share left by the said deceased. The consent affidavits are taken on record. The statements made by the petitioner in the petition are accepted. The proclamation is dispensed with.

4. The petitioner has made out a case for issuance of the legal heirship certificate.

5. The Miscellaneous Petition No.38 of 2019 is made absolute in terms of prayer clause (a).

6. The office is directed to issue heirship certificate expeditiously. There shall be no order as to costs.

(R.D. DHANUKA, J.)