

Ashwini

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 20 OF 2021**

Rana Siraj Ahmed Shaikh	...Petitioner
<i>And</i>	
Siraj Ahmed alias Siraj Ahmed Mohammed Idris alias Siraj Ahmed Shaikh	...Defendant

Mr Prabhu Velar, for the Petitioner.

**CORAM: G.S. PATEL, J
DATED: 10th February 2021**

PC:-

1. Accepted. Proclamation is dispensed with.
2. The Petition is under Section 2 of the Bombay Regulation VIII of 1827. It seeks an Heirship Certificate in respect of one Siraj Ahmed alias Siraj Ahmed Mohammed Idris alias Siraj Ahmed Shaikh. He died in Mumbai, where he was an ordinarily resident, on 29th August 2017. A copy of his Death Certificate is annexed.
3. No Will of the deceased is found.
4. The deceased was survived by the seven heirs shown in the table below paragraph 4. All are governed by a Sunni Muslim Law.

Atul G.
Kulkarni

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5. The heirs are the widow, four sons, and two minor daughters.
6. The Petitioner is the widow. The adult heirs have filed consent affidavits. The mother herself has filed a consent affidavit on behalf of the two minors, in her capacity as their mother and natural guardian.
7. The legal Heirship Certificate is required for production before certain authorities to transfer a saw-mill license which stood in the name of the deceased.
8. No other Petition for an 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.
9. The prayer seeks a condonation of delay and a waiver of the justifying surety of the two minor daughters. In view of the consent, I will allow the petition in its entirety.
10. It is made absolute in terms of prayer clauses (a), (b), and (c).
11. This order will be digitally signed by the Private Secretary of this Court. All concerned will act on production of a digitally signed copy of this order.

(G. S. PATEL, J)