

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

MISC. PETITION NO.77 OF 2021

Prakash Anant VetkarPetitioner

V/s.

Dnyandev Anant VetkarDeceased

Mr. Sagar Amrut Rane for petitioner.

CORAM : K.R.SHRIRAM, J.
DATED : 13th JULY 2021

P.C. :

1 Accepted. Issuance of proclamation is dispensed with.

2 Petitioner seeks Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of one Dnyandev Anant Vetkar (deceased), who expired on 6th April 2017. Copy of his death certificate is annexed at Exhibit "A" to the petition.

3 Wife of the deceased one Nikita Dnyandev Vetkar expired on 5th May 2017 and a copy of the death certificate is also annexed at Exhibit "B" to the petition. The deceased and his wife died issueless. The parents of deceased predeceased the deceased as stated in the petition. Therefore, there were no legal heirs under Clause 1 of Hindu Succession Act.

4 Petitioner and deceased were siblings. They had another brother Mr. Shrinivas Anant Vetkar and a sister Mrs. Varsha Vijay Patil nee Sharada Anant Vetkar. These two persons Mr. Shrinivas Anant Vetkar and

Mrs. Varsha Vijay Patil nee Sharada Anant Vetkar have consented to the grant of the Heirship Certificate. It is also averred in the petition that no other petition for 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 Legal Heirship Certificate is required for the purpose of dealing with the movable and immovable property of deceased, the immovable property being Room No.B-16, Charkop (1) Jaihind CHS, Plot No.422, R.A.C. 42, Sector 4, Charkop, Kandivali (West), Mumbai – 400 067.

6 The petition is made absolute in terms of prayer clause – (a) in favour of (1) Prakash Anant Vetkar; (2) Mr. Shrinivas Anant Vetkar; and (3) Mrs. Varsha Vijay Patil nee Sharada Anant Vetkar.

7 All to act on authenticated copy of this order.

(K.R. SHRIRAM, J.)