

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 85 OF 2021

Shailesh Keshavji HaraniaPetitioner

Amritben Keshavji HaraniaDeceased

Mr. Prabhu Velar for Petitioner.

CORAM : K.R.SHRIRAM, J.
DATED : 23rd JULY 2021

P.C. :

1. Accepted. Issuance of proclamation dispensed with.
2. Petitioner seeks Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827, in respect of one Amritben Keshavji Harania who died on 29/03/2011. Copy of her death certificate is annexed at Exhibit A to the petition.
3. The mother of petitioner Amritben Keshavji Harania died on 29/03/2011. The other legal heir, as stated in the petition, is Hiteshree Shailesh Shah, who has given no objection and consent affidavit dated 17/06/2021 is annexed at Exhibit F to the petition. It is also averred in the petition that there are no other application made to any District Court or District Delegate or any High Court for probate of any will or letters of

administration with or without the will annexed thereto or for succession. Mr. Prabhu Velar states that no other petition for heirship certificate or succession certificate has been filed. Statement accepted.

4. This heirship certificate is required for the purpose of mortgaging title deed of Flat No.1104, Marathon Galaxy-A now known as Marathon Galaxy-I Co-operative Housing Society Ltd., L.B.S. Road, Mulund (West), Mumbai – 400 080 which stood jointly in the name of petitioner and deceased. Petitioner wants to mortgage the flat for obtaining loan from Bank of Baroda, L.B.S. Marg, Mulund (West) Branch to help his son Khilan Shailesh Harania who has secured admission at Heriot Watt University, Edinburgh, Scotland for Actuarial Management with Data Science MSc for the academic year starting in September 2021.

5. Thus, petition is made absolute in terms of prayer clause (a) in favour of Shailesh Keshavji Harania and Hiteshree Shailesh Shah.

6. All to act on authenticated copy of this order.

7. Miscellaneous Petition No.85 of 2021 stands disposed.

(K.R. SHRIRAM, J.)