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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

MISCELLANEOUS PETITION NO. 28 OF 2021

Pradeep Kalyanji Gala and Anr.

....Petitioners

Kalyanji Kunverji Gala

....Deceased

Mr. Sagar Gala a/w Ms. Minakshi Sahu for Petitioner.

CORAM : K.R.SHRIRAM, J.

DATED : 29th JULY 2021

P.C. :

1. Accepted. Issuance of proclamation dispensed with.
2. Petitioners seek Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827, in respect of one Kalyanji Kunverji Gala who died on 03/09/2017. Copy of his death certificate is annexed at Exhibit A to the petition.
3. Petitioners are two sons of the deceased. The parents of the deceased have pre-deceased the deceased as stated in paragraph no.5 of the petition. The only legal heirs are the widow, two petitioners and four daughters. The names of legal heirs are (i) Kasturben Kalyanji Gala, (ii) Pradeep Kalyanji Gala, (iii) Jayesh Kalyanji Gala, (iv) Vasanti

Navinchandra Savla, (v) Kumud Jitendra Gada, (vi) Kusum Bipin Savla and (vii) Lata Pankaj Makda.

4. The widow and the four daughters of deceased have filed consent affidavits which are annexed to the petition. It is also stated that the heirship certificate is required for producing before the concerned authorities so that the properties of the deceased can be distributed in accordance with law. It is also stated by petitioners and other legal heirs that they have not filed nor made any application to any District Court, District Delegate or any High Court for probate of any Will or for Letters of Administration with or without a Will annexed thereto or for succession certificate to the properties and credits of the deceased.

5. Thus, petition is made absolute in terms of prayer clause (a) in favour of (i) Kasturben Kalyanji Gala, (ii) Pradeep Kalyanji Gala, (iii) Jayesh Kalyanji Gala, (iv) Vasanti Navinchandra Savla, (v) Kumud Jitendra Gada, (vi) Kusum Bipin Savla and (vii) Lata Pankaj Makda.

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

7. Miscellaneous Petition No.28 of 2021 stands disposed.

(K.R. SHRIRAM, J.)