

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 48 OF 2020**

Shankar Ganesh Allagar Swami	...Petitioner
<i>And</i>	
M Allar Swami	...Deceased

Mr VK Rajbhar, for the Petitioner.

**CORAM: G.S. PATEL, J
DATED: 9th February 2021**

PC:-

1. Accepted. Proclamation dispensed with.

2. ***The Petitioner seeks a Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of one M Allar Swami, who is said to have died intestate in Raigad, and was resident of Mumbai, on 29th September 2001.*** A copy of his death certificate is annexed. The deceased was also known as Alagar Swamy or Alagar Swami.

3. The deceased was survived by his widow, two out of three sons and a married daughter. The Petitioner is one of the two surviving sons. A third son died unmarried and without lineal descendants before the deceased on 29th November 2014. Their

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names are mentioned in the tabulation below paragraph 2 of the petition. The consent Affidavits of the other heirs are annexed. The

4. The Legal Heirship Certificate is required for a compassionate appointment with the Maharashtra State Electricity Distribution Company Limited (“MSEDCL”). The MSEDCL or Mahavitaran has replied to the Petitioner’s request, asking for a Heirship Certificate. The Petitioner states that the deceased died intestate. No Will has been found.

5. All the heirs have granted consent. No other Petition for a 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.

6. The petition is made absolute in terms of prayer clause (b).

7. Heirship Certificate be issued expeditiously.

8. 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)

Note: This order is modified as per order dated 3rd March 2021. The corrections are shown in paragraph 2 in bold, italics and underlined.