

Ashwini

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
TESTAMENTARY AND INTESTATE JURISDICTION  
MISCELLANEOUS PETITION NO. 134 OF 2019**

Haresh Bhadresh Parekh

...Petitioner

Virmatiben Shantilal Parekh alias Virmati  
Shantilal Parekh alias Veermati Shantilal Parekh

...Deceased

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**Mr Prabhu Velar**, *for the Plaintiff.*

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**CORAM: G.S. PATEL, J  
DATED: 27th August 2021**

**PC:-**

1. The Petition has been accepted and a proclamation has been issued. There is an Affidavit of Service.

2. The Petitioner is the grandson of one Virmatiben Shantilal Parekh. She died in Mumbai on 24th September 1984. She lived at Khadilkar road, Mumbai 400 004. She is said to have died intestate. The Petition says that she was survived by her grandson Haresh, another grandson Sukesh and a granddaughter Mansi and her son Anil Shantilal Parekh. The deceased's other son, Bhadresh (the father of Haresh, Sukesh and Mansi), died on 10th June 2001. Virmati's husband died before her on 14th November 1965. Sukesh and Mansi have consented to the grant of the heirship certificate.

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Anil has not consented. A proclamation was issued and served on him. He has not filed any objection to this Petition.

3. In any case, Anil's name is mentioned as one of the heirs and will be included in the heirship certificate.

4. The certificate is required for the purposes set out in paragraph 8 of the Petition, i.e., to claim rights in regard to immovable property at Survey No. 36 and 42 (part), Hariali Village, Taluka Kurla in Mumbai.

5. In view of these facts, the Petition is made absolute in terms of prayer clauses (a) and (b).

6. An heirship certificate would be issued in the name of all the heirs mentioned in paragraph 4 of the Petition.

7. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production of a digitally signed copy of this order.

**(G. S. PATEL, J)**