

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION**

MISCELLANEOUS PETITION NO.37 OF 2022

Sachin Gulshan Vihan & Ors. ...Petitioners

And

Gulshankumar Karamchand Vijan ...Deceased

Mr. Tejas Vora a/w. D. R. Mishra for Petitioners.

CORAM : R. I. CHAGLA, J.

DATED : 29th JULY, 2022.

P.C.

1. Heard learned counsel for the Petitioners.
2. By the present Petition, the Petitioners are seeking Legal Heirship Certificate under Section 2 of the Bombay Regulation Act, VIII of 1827, in respect of the deceased-Gulshankumar Karamchand Vijan, who expired in Mumbai on 28th July 2021. A copy of the death certificate is annexed at Exhibit-A to the Petition.
3. The Petitioners are the sole surviving legal heirs of the deceased. Their particulars are set out in the tabular form in para 4 of the Petition. Save and except the Petitioners, there are no other legal heirs surviving of the deceased.

4. It is stated in para 2 of the Petition that the Legal Heirship Certificate is required by the concerned authority to transfer the properties as mentioned in Schedule-I annexed at Exhibit-B to the Petition. This comprises of all the properties and credits of the deceased which the Deceased died possessed of or entitled to at the time of his death, which have or are likely to come to the Petitioners.

5. Considering that the Petitioners are the only legal heirs surviving of the deceased, there is no question of consent being required in the present case.

6. 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.

7. The Petition is accepted and made absolute in terms of prayer clause (a) which read thus:-

*“(a). That legal heirship certificate there by certifying
i.e. 1) Sachin Gulshankumar Vijan, Son, 2) Nitin
Gulshan Vijan, Son and 3) Asha Gulshankumar Vijan,
widow as the recognized legal heirs and*

*representative of the Deceased be granted to the
Petitioner;”*

8. Issuance of proclamation is dispensed with.
9. Miscellaneous Petition is accordingly disposed of. There shall be no order as to costs.
10. This order will be digitally signed by the Personal Assistant/Private Secretary of this Court. All concerned will act on production of a digitally signed copy of this order.

(R. I. CHAGLA, J.)