

Sharayu Khot.

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

MISCELLANEOUS PETITION NO. 120 OF 2022

Siddhi Sudhan Bhole w/o Sudhan Janardhan ...Petitioner
Bhole

And

Sudhan Janardhan Bhole ...Deceased

Mr. C.J. Dudhane for the Petitioner.

CORAM : R.I. CHAGLA J

DATE : 26 August 2022

ORDER :

1. By the present Petition, the Petitioner seeks a Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of the deceased Sudhan Janardhan Bhole, who expired in Mumbai on 5th January 2021. A copy of her death certificate is annexed at Exh.A to the Petition.

SHARAYU
PANDURANG
KHOT

Digitally signed
by SHARAYU
PANDURANG
KHOT
Date:
2022.08.30
18:34:26
+0530

2. The deceased was survived by the Petitioner who is the widow of the deceased, one son and one daughter of the deceased.

The particulars of the legal heirs are mentioned in the tabular form at paragraph 4 of the Petition. Save and except his legal heirs, there are no other legal heirs surviving the deceased.

3. The mother of the deceased has also expired on 10th August 2021.

4. It is stated in paragraphs 7 and 8 of the Petition that the Legal Heirship Certificate is required for producing before the concerned Authority of the Government, the Registrar of the Co-operative Housing Societies, Authorities of the Housing Societies, Registrar of Land Records, Tahasildar, Talathi, R.T.O. office and other Government authorities for transmission of the assets/properties of the deceased mentioned in the schedule of assets owned by the deceased, annexed at Exh.D to the Interim Application.

5. The other legal heirs of the deceased namely, son and daughter of the deceased have filed their Consent Affidavits dated 21st January 2022 giving their full and free consent to grant the Legal Heirship Certificate in favour of the Petitioner, without justifying their share in the estate of the deceased and issuing citation

upon them.

6. 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 in the present Petition.

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

“(A) This Hon’ble Court be pleased to issue a Legal Heirship Certificate to the Petitioner under the provision of Bombay Regulation VIII of 1827 certifying that the Petitioner along with the heirs mentioned in Para 4 are the only heirs and legal representative of the said deceased.”

8. Proclamation is dispensed with.

9. Miscellaneous Petition is accordingly disposed of.

10. No order as to costs.

[R.I. CHAGLA J.]