

Sharayu Khot.

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

MISCELLANEOUS PETITION NO. 126 OF 2022

Preeta Rajesh Yadav

...Petitioner

And

Prabhakar Pralhad Jamkhedkar

...Deceased

Mr. Akshay P. Jadhav for the Petitioner.

CORAM : R.I. CHAGLA J

DATE : 5 August 2022

ORDER :

1. By the present Petition, the Petitioner has prayed for the Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of the deceased Prabhakar Pralhad Jamkhedkar, who expired in Mumbai on 23rd July 2016. A copy of the death certificate is annexed at Exh.A to the Petition.

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2. The Petitioner is the married daughter of the deceased and the other legal heirs of the deceased are one son and another daughter, namely, Prashant Prabhakar Jamkhedkar and Priya

Prabhakar Jamkhedkar. Particulars of the aforementioned legal heirs of the deceased are in the tabular form at paragraph 5 of the Petition. Save and except his legal heirs, there are no other legal heirs surviving the deceased.

3. The Petitioner has applied for the Legal Heirship Certificate which is required for having rights of the legal heirs of the deceased formally recognized by the Court in which the proceedings are pending.

4. The Consent Affidavits of the other legal heirs of the deceased have been filed and by which they have been given their full and free consent for the Legal Heirship Certificate to be granted in favour of the Petitioner.

5. 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.

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

“(a) This Hon’ble Court be pleased to declare that the petitioner i.e. Preeta Rajesh Yadav along with Prashant Prabhakar Jamkhedkar and Priya Prabhakar Jamkhedkar are the legal heirs of Late Prabhakar Pralhad Jamkhedkar under Appendix B and or such other provisions of Bombay Regulation Act, VIII of 1827.”

7. Proclamation dispensed with.
8. Miscellaneous Petition is accordingly, disposed of.
9. No order as to costs.

[R.I. CHAGLA J.]