

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.240 OF 2022**

Jayashree Sureshchandra Parab

... Deceased

1. Sureshchandra Sadashiv Parab

2. Amit Sureshchandra Parab

... Petitioners

Mr. Kiranraj S. Khedekar for the Petitioner.

CORAM : ARIF S. DOCTOR, J.

DATE : 02ND DECEMBER 2022

P.C. :

1. The Petitioners seek the grant of a Legal Heirship Certificate under the provisions of Section 2 of the Bombay Regulation Act VIII of 1827 in respect of deceased Jayashree Sureshchandra Parab ('the said deceased'), who is said to have died intestate at Mumbai on 09/07/2021. A copy of the death certificate of Late Jayashree Sureshchandra Parab is also annexed to the Miscellaneous Petition. The deceased is survived by her husband and son as next of kin according to Hindu Succession Act, 1956.

2. It is stated in the Miscellaneous Petition that the deceased had left behind her immovable property being Flat No.5, Building No.39, Manokamana CHS Ltd., Survey No.63, Section No.21, Scheme No.11, Yamunanagar, Nigadi, Pune – 411 044 ('the said flat'). It is also stated in the Miscellaneous Petition that the Legal Heirship Certificate is required in order to enable the transfer of the said flat in the names of the legal heirs of the deceased, viz., the Petitioners. No other Petition for Legal Heirship Certificate, Succession Certificate, Probate or Letters of Administration with or without Will annexed has been filed. Therefore, there is no impediment to the grant of relief.

3. The Miscellaneous Petition is therefore made absolute in terms of prayer clause (a) of the Miscellaneous Petition.

4. The Registry shall issue the Legal Heirship Certificate in the standard format prescribed for the same.

5. Since the Petitioners are the only two legal heirs, the proclamation is dispensed with.

6. Miscellaneous Petition is accordingly disposed of.
7. No order as to costs.
8. All concerned to act on the authenticated copy of this order.

(ARIF S. DOCTOR, J.)