

pSharayu Khot.

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

MISCELLANEOUS PETITION NO. 107 OF 2022

Santosh Vasudev Shenoy

...Petitioner

And

Vasudev Chandapa Shenoy

...Deceased

Mr. Sanjay A. Singh i/by O.P. Dubey for the Petitioner.

CORAM : R.I. CHAGLA J

DATE : 21 October 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 Vasudev Chandapa Shenoy, who expired in Mumbai on 29th October 2003. A copy of her death certificate is at Exh.A annexed to the Petition.

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2. The deceased was survived by the Petitioner who is the son of the deceased and only surviving heir of the deceased. The parents and wife of the deceased predeceased the deceased. The

deceased had no daughter and the Petitioner is the only son of the deceased.

3. It is stated in paragraph 13 of the Petition that the Legal Heirship Certificate is required for the transfer of the MHADA property, which was standing in the name of the deceased to the Petitioner.

4. Considering that the Petitioner is the only surviving legal heir of the deceased, there is no question of consent of any other legal heirs will be required in the Petition.

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 issue a Legal

Heirship Certificate to the Petitioner under the provisions of Bombay Regulation VIII of 1827 certifying that the petitioner, along with the heirs mentioned mentioned herein above are the only heirs and legal representatives of the deceased.”

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

[R.I. CHAGLA J.]