

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.86 OF 2022**

Umakant Narsing Sangamwar ... Deceased

Shalini Umakant Sangamwar ... Petitioner

Mr. D. Banerjee i/by Ms. Sapna Rachure for the Petitioner.

CORAM : ARIF S. DOCTOR, J.

DATE : 16TH DECEMBER 2022

P.C. :

1 The Petitioner seeks the grant of a Legal Heirship Certificate under the provisions of Section 2 of the Bombay Regulation VIII of 1827 in respect of one Umakant Narsing Sangamwar ('the deceased'), who is said to have died intestate at Mumbai on 15/10/2021. A copy of the death certificate of the deceased is also annexed to the Miscellaneous Petition. The said deceased ordinarily resided at 202, Pushpa Bhuvan, Near Telephone Bhavan, Colaba, Mumbai, Maharashtra-400005. The said deceased died intestate leaving behind no testamentary writing or Will, and in spite of due diligent search made for the Will, none has been found.

2 The said deceased left behind him the following persons as his only heirs and next of kin according to the Hindu Succession Act, 1956, who are residing at the following address :-

Sr. No.	Names of legal heirs and Age	Relation	Address
1.	Shalini Umakant Sangamwar Age – 64 years	Widow	202, Pushpa Bhuvan, Near Telephone Bhavan, Colaba, Mumbai, Maharashtra-400005.
2.	Umesh Umakant Sangamwar Age – 35 years	Son	202, Pushpa Bhuvan, Near Telephone Bhavan, Colaba, Mumbai, Maharashtra-400005.
3.	Heena Anil Gatigante Age – 38 years	Daughter (married)	Room No.3, Gatigante House, Sahar Sutarpakhadi, Vileparle (East), Mumbai – 400099.

3 Petitioner is the wife of deceased. Other two legal heirs (son and daughter) have given their consent affidavits which are annexed to the Petition. It is stated that the Legal Heirship Certificate is required to produce the same before the concerned authorities for collecting the details of the assets of the deceased as also for transferring movable and immovable properties standing in

the name of the deceased to the name of the Petitioner. The Schedule of the movable and immovable properties has been set out in Exhibit-C annexed to the Petition.

4 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 in law to the grant of relief. As stated above, the consent affidavits of the legal heirs are also placed on record.

5 I have heard the learned counsel appearing for the Applicant/Petitioner as well as perused the copy of the said Petition and find that the same is in order.

6 The Miscellaneous Petition is therefore made absolute in terms of prayer clause (a) of the Miscellaneous Petition, which reads as under :-

“a. A Legal Heirship Certificate certifying that the Petitioner alongwith the legal heirs mentioned in Para 4 are the legal heirs and legal representatives of the Deceased late Shri. Umakant Narsing Sangamwar be issued.”

7 The Registry shall issue the Legal Heirship Certificate in the

standard format prescribed for the same.

8 Proclamation is dispensed with in view of the consents affidavits filed by the other legal heirs of the deceased.

9 Miscellaneous Petition is accordingly disposed of. There shall be no order as to costs.

10 All concerned to act on the authenticated copy of this order.

(ARIF S. DOCTOR, J.)