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Petition. Save and except of the Petitioners, there are no other legal heirs and next of kins left by the deceased.

2 It is stated in paragraph 8 of the Petition that the Legal Heirship Certificate is required in respect of the immovable properties mentioned in the said paragraph and to be produced before the Developers and the Society referred to therein as well as concerned Government and Semi-Government Authorities for taking possession of the subject flat mentioned therein, which has been allotted in the name of the deceased to be transferred in the joint names of the Petitioners, being the legal heirs of the deceased.

3 Considering that the Petitioners are only surviving legal heirs of the deceased there is no question of consent of any other heirs being required in the present case.

4 No other Petition for legal heirship certificate, succession certificate, probate or letters of administration with or without will annexed has been filed. Therefore, I do not find any impediment in granting the relief sought for in the present Petition.

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

“(a) *“That a Legal Heirship Certificate be issued under the provision of Bombay Regulation Act VIII of 1827, certifying that (1) Prakash Chintamani Kulkarni (the son of the Deceased abovenamed and the Petitioner No.1 herein) and (2) Ulka Vijaykumar Chitnis Widow of Vijaykumar Chitnis (the Daughter of the Deceased abovenamed and the Petitioner No.2 herein), are the only heirs and Legal Representative of the Deceased abovenamed.”*

6 Proclamation dispensed with.

7 Miscellaneous Petition is accordingly disposed of. No order as to costs.

(R.I. CHAGLA, J.)

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signed by
WAISHALI
SUSHIL
WAGHMARE
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