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

MISCELLANEOUS PETITION NO.60 OF 2022

Ameya Sushant Bhatkal

...Petitioner

Versus

Sushant Sadanand Bhatkal

...Deceased

Ms. Seema Hunnurkar i/b. Seema Hunnurkar & Associates for the
Petitioner.

CORAM : R.I. CHAGLA J.

DATE : 10TH JUNE, 2022

ORDER :

1. By the present Petition, the Petitioner seeks a Legal Heirship Certificate under Section 2 of the Bombay Regulation Act VIII of 1827 in respect of the deceased Sushant Sadanand Bhatkal who expired at Mumbai on 30th March, 2021. A copy of the death certificate is also annexed at Exhibit A to the Petition. The deceased was survived by the Petitioner who is widow of the deceased and son. The particulars of which are mentioned in tabular form at paragraph 4. Save and except the legal heirs mentioned in the tabular form at

paragraph 4 the deceased left no other legal heirs and next of kins.

2. It is stated in Paragraph 5 of the Petition that, the deceased owned two properties and the Petitioner has made application with the Society to transfer the said flats. However, the Society requested the Petitioner to obtain Legal Heirship Certificate from this Court.

3. The other legal heir of the deceased namely Padmini S. Bhatkal, widow of the deceased filed Consent Affidavit dated 9th February, 2022 giving her free and full consent the Legal Heirship Certificate be granted to the Petitioner without service of proclamation of the above proceedings upon him and justifying the surety in the estate of the deceased.

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 reliefs sought for in the present Petition.

5. In the circumstances, the Miscellaneous Petition is

accepted and made absolute in terms of prayer Clause (a), which reads as under:

“(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, alongwith the heirs mentioned para no.4 herein above are the only legal representatives of the deceased.”

6. Proclamation is dispensed with.

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

[R.I. CHAGLA J.]