

Govind Marlu Hattiangadi ... Deceased

Sukumar Govind Hattiangadi & Anr. ... Petitioners

CORAM : R.I. CHAGLA, J.

DATED : 29th APRIL, 2022.

1 By the present Petition, the Petitioners seeks a Legal Heirship Certificate under Section 2 of Bombay Regulation Act, VIII of 1827 in respect of the deceased Govind Marlu Hattiangadi who expired at Mumbai on 19.07.1985. A copy of the death certificate is annexed at Exhibit-A to the Petition. The deceased was survived by the two Petitioners who are the sons of the deceased and three married daughters and one unmarried daughter, the particulars of which are given in the tabular form at paragraph 4 of the Petition. Save and except the legal

heirs and next of kins of the deceased mentioned therein, there are no other legal heirs left by the deceased.

2 It is stated in paragraph 9 of the Petition that the Legal Heirship Certificate is required to produce before the MHADA for transfer of tenancy rights with respect to the Tenement No.193, Aram Nagar-II, Opp. Police Officer Colony, J.P. Road, Versova, Andheri (W), Mumbai 400 061, in the names of the Petitioners.

3 There are consent affidavits which have been filed by the other legal heirs of the deceased and which are at pages 21 to 32 to the Petition. By the consent affidavits the other legal heirs of the deceased have given their full and free consent for issuance of Legal Heirship Certificate of the deceased in favour of the Petitioners, without service of any proclamation upon them and without justifying any surety for their share in the property left by 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. 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) Sukumar Govind Hattiangadi (Son of the Deceased and Petitioner No.1 herein), (2) Leeladhar Govind Hattiangadi (Son of the Deceased and Petitioner No.2 herein), (3) Indira Lokesh Mendon (Married Daughter of the Deceased), (4) Nalini Venugopal Padbidri (Married Daughter of the Deceased), (5) Sheela Indukumar Amin ((Married Daughter of the Deceased) and (6) Pratima Govind Hattiangadi (Daughter of the Deceased), are the only heirs and Legal representatives of the Deceased.”

6 Proclamation is dispensed with.

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

Digitally
signed by
WAISHALI
SUSHIL
WAGHMARE
Date:
2022.05.02
18:00:45
+0530

(R.I. CHAGLA, J.)