

and Petitioner Nos.5 and 6 are sons of the deceased. The particulars of the Petitioners and their relationship with the deceased are mentioned in the tabular form at paragraph 4 of the Petition. Save and except the Petitioners, there are no other legal heirs surviving the deceased.

3 It is stated in the Petition that the Legal Heirship Certificate is required for withdrawing the the Fixed Deposit which are standing in the name of the deceased after its maturity and which Fixed Deposit is at Bank of Baroda , Jogeshwari (East) Branch. This is stated in paragraphs 8 and 9 of the Petition.

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

5 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.

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

“(a) *“That this Hon’ble Court may be pleased to grant the Heirship Certificate in favour of the Petitioners being heirs mentioned at paragraph no.2 in the form of Annexure B of Bombay Regulation Act, VIII of 1827;”*

7 Proclamation is dispensed with.

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

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by WAISHALI
SUSHIL
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(R.I. CHAGLA, J.)