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

MISCELLANEOUS PETITION NO.82 OF 2022

Gauri Sharma nee Gauri Ulhas Desai **...Petitioner**

Versus

1. Ulhas Jayawantrao Desai **...Deceased**
2. Vasudha Ulhas Desai

Mr. Prabhu Velar for the Petitioner.

CORAM : R.I. CHAGLA J.

DATE : 15TH SEPTEMBER, 2022

ORDER :

1. By this present Petition, the Petitioner seeks Legal Heirship Certificate under Section 2 of the Bombay Regulation Act, VIII of 1827 in respect of the deceased Ulhas Jayawantrao Desai and Vasudha Ulhas Desai. A copy of the death certificates are annexed at Exhibit 'A' and 'A1' to the Petition. The deceased were survived by the Petitioner who is the adopted daughter of the deceased mentioned in the tabular form at paragraph 5 of the Petition. Save and except the Petitioner, there are no other legal heirs surviving the deceased.

2. It is stated in paragraph 9 of the Petition that the Legal Heirship Certificate is required for the Petitioner to make representation before Co-Operative Housing Society, Government and Semi Government bodies and land and Revenue authorities to record her name, being the only legal heir.

3. Considering that the Petitioner is the only surviving heir 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 reliefs sought for in the present Petition.

5. The Petition is accepted and allowed in terms of prayer clause (a) which reads thus:-

“(a) This Hon’ble Court be pleased to issue a Legal Heirship Certificate to the Petitioner under the provision of Bombay Regulation VIII of 1827 certifying that 1) Gauri Sharma nee Gauri Ulhas Desai, (adopted daughter) being the only heirs

and legal representatives of the said deceased abovenamed.”

6. Proclamation is dispensed with.
7. The Petition is accordingly disposed of. No order as to costs.

[R.I. CHAGLA J.]