

K.S. Jadhav

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

MISCELLANEOUS PETITION NO. 98 of 2022

Jayshri Heeru Tejawani

...Petitioner

Versus

Ms. Deval Jetha Khuman

...Deceased

Mr. Vishal Laxman Kolekar A/w Ms. Suchita Kamble, Advocates
for the Petitioner.

CORAM : R.I. CHAGLA, J.

DATE : 16th November, 2022.

ORDER :

1. By the present petition, the Petitioner seeks a Legal Heirship Certificate under Section 2 of the Bombay Regulation VIII of 1827 in respect of the deceased Deval Jetha Khuman, who expired at Mumbai on 2nd April, 2014. The copy of the Death Certificate is annexed at Exhibit-A to the Petition.

2. The deceased is survived by the Petitioner who is the sole surviving legal heir. The other legal heirs mentioned in the

tabular form of Paragraph 5 of the Petition, have expired. Save and except these legal heirs, there are no other legal heirs surviving the deceased.

3. The Legal Heirship Certificate is required as stated in Paragraph 2 of the Petition for claiming the job of the deceased which job was with Mumbai Municipal Corporation and upon approaching the Mumbai Municipal Corporation office, the office required the Legal Heirship Certificate to be produced.

4. In view of the Petitioner being the only surviving legal heir of deceased, there is no question of consent of anyone else 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. In these circumstances, the Petition is accepted and made

absolute in terms of prayer clause (a), which reads thus:-

“(a) That legal Heirship Certificate thereby certifying Mrs. Jayashri Heeru Tejwani (The Petitioner here-in and the daughter of the deceased) be recognized as legal heir and representative of the deceased be granted in favor of the Petitioner”

7. Proclamation is dispensed with.
8. Miscellaneous Petition is accordingly disposed of.
9. No order as to costs.

[R.I. CHAGLA J.]