

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

MISCELLANEOUS PETITION NO.121 OF 2022

Akshay Anil Chiplunkar ...Petitioner

And

Anil Tukaram Chiplunkar ...Deceased

Ms. Sulakshana Survase i/by A.K. & Associates Legal Services for
Petitioner.

CORAM : R. I. CHAGLA, J.

DATED : 29th JULY, 2022.

P.C.

1. Heard learned counsel for the Petitioner.
2. 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-Anil Tukaram Chiplunkar, who expired in Mumbai on 2nd December 2021. A copy of the death certificate is annexed at Exhibit-A to the Petition.
3. The Petitioner who is the son of the deceased as well as one of the legal heir of the deceased. The legal heirs of the deceased are the widow/wife, the son of the deceased, daughter of the deceased and mother of the deceased. The particulars of the legal

heirs surviving of the deceased are mentioned in the tabular form in para 6 of the Petition.

4. In para 7 of the Petition, it is stated that the deceased did save and except for the legal heirs listed in the tabular form at para 6 as mentioned above, there are no other legal heirs surviving of the deceased.

5. It is stated in para 8 of the Petition that the Legal Heirship Certificate is required by the Petitioner to get/obtain job on compassionate basis from the concerned authority.

6. Considering that the other legal heirs of the deceased have filed their consent Affidavits i.e. the wife-widow of the deceased has filed consent Affidavit dated 23rd March 2022, the mother of the deceased has filed her Consent Affidavit dated 23rd March 2022 and the daughter of the deceased has filed her Consent Affidavit dated 28th March 2022 by which they have given their full and free consent for grant of Legal Heirship Certificate in favour of the Petitioner for the purpose of job on compassionate basis left by the deceased and they have waived service of citation and any proceedings on them.

7. No other Petition for Heirship Certificate, Succession Certificate, Probate or Letters of Administration with or without will annexed has been filed. There is no impediment to the grant of relief.

8. The Petition is accepted and made absolute in terms of prayer clause (a) which read thus:-

“(a). That Heirship Certificate in the form of Appendix of the Bombay Regulation VIII of 1027 be granted to the Petitioner declaring that the Petitioner is the legal heir of the Deceased Late Anil Tukaram Chiplunkar”

9. Issuance of proclamation is dispensed with.

10. Miscellaneous Petition is accordingly disposed of. There shall be no order as to costs.

11. This order will be digitally signed by the Personal Assistant/Private Secretary of this Court. All concerned will act on production of a digitally signed copy of this order.

(R. I. CHAGLA, J.)