

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

MISCELLANEOUS PETITION NO.219 OF 2022

Rajashri Kashinath Bandekar

.. Petitioner

Kashinath Soma Bandekar

.. Deceased

Mr. Sandeep D. Rankhambe for the Petitioner.

CORAM : VALMIKI SA MENEZES, J.

DATE : 17TH NOVEMBER, 2022.

P.C. :

1. By this petition, the petitioner seeks issuance of Legal Heirship Certificate, under Section 2 of the Bombay Regulation VIII of 1872, in respect of Late Kashinath Soma Bandekar, who is said to have died intestate on 7th November 1992. A copy of his Death Certificate is annexed as Exhibit-B (page 16) to the petition. It is further stated that the place of abode of the deceased was at Andheri, Mumbai.

2. The petitioner is the wife of the deceased and as stated in the petition, the deceased had no children. The parents of the deceased said to have predeceased him, as stated in para 3 of the petition. The petitioner therefore appears to be the sole legal heir of the deceased in relation to his estate. Consequently, there is no cause for issuing any proclamation.

3. The petitioner seeks issuance of Legal Heirship Certificate for enabling her to transfer the shares standing in the name of the deceased, which are detailed in para 10 of the petition and supported by the document annexed as Exhibit-J1 (page 27) to the petition.

4. Considering the averments made in the petition and the documents produced on record, I find no impediment in granting Legal Heirship Certificate to the petitioner. Accordingly, the petition is made absolute in terms of prayer clause (a), which reads thus :-

“(a). That the Heirship Certificate be granted to certify that Rajashri Kashinath Bandekar is the legal heir and representative of the said deceased under the provisions of the Bombay Regulation Act VIII of 1827.”

5. Registry to act upon this order and issue Legal Heirship Certificate.

6. Miscellaneous Petition is disposed of in the above terms.

[VALMIKI SA MENEZES, J.]