

Sharayu Khot.

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

MISCELLANEOUS PETITION NO. 117 OF 2022

Ravindra Bhagwan Worlikar

...Petitioner

And

Dharmaraj Bhagwan Worlikar alias Dharamraj B. Warlikar ...Deceased

Mr. Prabhu Velas i/by Gajendra J. Waity for the Petitioner.

CORAM : R.I. CHAGLA J

DATE : 21 October 2022

ORDER :

1. By the present Petition, the Petitioner seeks a Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of the deceased Dharmaraj Bhagwan Worlikar alias Dharamraj B. Warlikar, who expired in Badlapur on 17th December 2020. A copy of her death certificate is annexed at Exh.A to the Petition.

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2. The deceased was survived by the Petitioner who is the brother of the deceased and the only surviving legal heir. The parents

of the deceased predeceased the deceased. The deceased died as a bachelor.

3. It is stated in paragraph 8 of the Petition that the Legal Heirship Certificate is required by the Petitioner to be produced before the concerned authorities i.e. Department of Posts, other Government bodies as well as semi Government bodies for the purpose of completing legal formalities to withdraw the balance amount invested by the deceased from the Post Office, Worli Sea Face, Mumbai in KVP Scheme, having Account No. 3618623296.

4. Considering that the Petitioner is the only surviving legal heir, there is no question of consent of any other legal heirs will be required in the Petition.

5. No other Petition for a 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 in the present Petition.

6. The Petition is accepted and made absolute in terms of

prayer clause (a), which reads thus:-

“(a) This Hon’ble Court be pleased to issue a Legal Heirship Certificate under the provision of Bombay Regulation VIII of 1827 certifying that the Petitioner i.e. Ravindra Bhagwan Worlikar, the legal heir mentioned above in Para 4 is the only heir and legal representative of the said deceased.”

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

[R.I. CHAGLA J.]