

paragraph 4 of the Petition. Save and except these Legal Heirs of the deceased, there are no other legal heirs surviving the deceased.

2 In paragraph 7 of the Petition it is stated that the Legal Heirship Certificate is required to be produced before MHADA and concerned Co-operative Housing Society in order to transfer the right, title and interest of the deceased in the flat, particulars of which have been given in paragraph 7 of the Petition together with the share certificates mentioned therein, in the names of the Petitioners.

3 Considering that the Petitioners are the only legal heirs surviving the deceased, there is no question of consent of other legal 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 relief sought for in the present Petition.

5 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 to the Petitioner under the provision of Bombay Regulation VIII of 1827 certifying that*

1. Harishkumar Sadashiv Suvarna (Son) 2. Shalini Suresh Kotian nee Shalini Sadashiv Suvarna (Daughter) 3. RenukaBhaktha Vasthsala Kaup Nee Renuka Sadashiv Suvarna (Daughter) all being the only Class-I heirs of the said deceased abovenamed.”

6 Proclamation is dispensed with.

7 Miscellaneous Petition is accordingly disposed of. No order as to costs.

WAISHALI
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WAISHALI
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WAGHMARE
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(R.I. CHAGLA, J.)