

produced as a proof of his resident at Andheri (W), Mumbai. The petitioner states that the deceased died intestate leaving as his only heirs, his wife - Smt. Dipti Samant whose Aadhar Card is produced at Exhibit-D, his son i.e Petitioner whose Pan Card has been produced at Exhibit-B, and son i.e. Kaivalya Samant whose Aadhar Card is produced at Exhibit-E to the petition.

3. The Petitioner has made a statement that apart from the petitioner himself and his mother and brother, their names are recorded in the tabular form at paragraph 4 below, at page 3 of the petition. There are no other legal heirs to the estate of the deceased.

4. The reasons stated by the petitioner for requiring a Legal Heirship Certificate are stated in paragraph 10 of the petition. A certificate is required to be produced before the concerned authorities i.e. Bharat Petroleum Corporation Ltd. for transferring the Dispensing Pump and Selling Licence in the name of the deceased, issued by virtue of agreement executed on 25th March 2011 between the Bharat Petroleum Corporation Ltd. and the deceased, which is produced at Exhibit-C to the petition.

5. The consent of Smt. Dipti Sawant and Kaivalya Sawant are recorded by way of affidavits which are produced at Page 27 and Page-30 respectively to the petition. In the said affidavits, both the legal heirs have given their no objection to the said Bharat Petroleum cum Licence being transferred to the name of the petitioner herein.

6. Considering that the heirs have granted their consent affidavits in the present matter proclamation is dispensed with. There is no impediment to the grant of relief.

7. The Petition is made absolute in terms of prayer clause (a) in favour of the petitioner, which is reproduced hereunder :

“ That Legal Heirship Certificate be issued certifying that the Petitioner along with all legal heirs mentioned in Para 4 are the only Heirs and Legal Representative of the Deceased under the provisions of Bombay Regulation act VII of 1827”

8. Registry to act upon this order and issue Legal Heirship Certificate within four weeks from the receipt of this order.

(VALMIKI SA MENEZES, J)