

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.160 OF 2022**

Yashpal Rai Mehta ... Deceased

Rani Mehta & Anr. ... Petitioners

Mr. Aamir Attari i/by M/s. Dhruve Liladhar & Company for the Petitioners.

CORAM : ARIF S. DOCTOR, J.

DATE : 05TH DECEMBER 2022

P.C. :

1. The Petitioner seeks the grant of a Legal Heirship Certificate under the provisions of Section 2 of the Bombay Regulation VIII of 1827 in respect of deceased Yashpal Rai Mehta S/o. Khushwaqt Rai Mehta ('the said deceased'), who is said to have died intestate on 21/11/2018. A copy of the death certificate of Yashpal Rai Mehta S/o. Khushwaqt Rai Mehta is also annexed to the Miscellaneous Petition. The said deceased is stated to have been the resident of Mumbai.

2. The Legal Heirship Certificate is required to transfer the immovable property, admeasuring 1820.05 sq. ft., being Flat No.402, Block 40, in residential colony known as 'Heritage City', Mehrauli Gurgaon Road,

Gurgaon – 122002, Haryana. The said deceased left behind him the following persons as his only heirs and next of kin according to the Hindu Succession Act, 1956, who are residing at the following address :-

Sr. No.	Name and address of the legal heirs of the deceased	Age	Relationship with deceased
1.	Rani Mehta W/o. Yashpal Rai Mehta Residing at C/1105, 11 th Floor, Oberoi Woods, Goregaon (East), Mumbai – 400 063.	60	Widow of the deceased and the Petitioner No.1 herein
2.	Ruhi Mehta W/o. Rohit Mathur Residing at B/403, 4 th Floor, Oberoi Woods, Goregaon (East), Mumbai – 400 063.	47	Married daughter of the deceased and the Petitioner No.2 herein

3. No other Petition for Legal Heirship Certificate, Succession Certificate, Probate or Letters of Administration with or without Will annexed has been filed. Therefore, there is no impediment in law to the grant of relief.

4. The Miscellaneous Petition is therefore made absolute in terms of prayer clause (a) of the Miscellaneous Petition, which reads as under :-

“(a) That a Legal Heirship Certificate of the Deceased be issued under the provision of Bombay Regulation Act VIII of 1827, Certifying that (1) Rani Mehta W/o. Yashpal Rai Mehta (the Widow of the deceased and the Petitioner No.1 herein) and (2) Ruhi Mehta W/o. Rohit Mathur (the

Married Daughter of the deceased and the Petitioner No.2 herein) are the only heirs and Legal heirs/representatives of the deceased"

5. The Registry shall issue the Legal Heirship Certificate in the name of the above persons in the standard format prescribed for the same.
6. Miscellaneous Petition is accordingly disposed of. No order as to costs.
7. All concerned to act on the authenticated copy of this order.

(ARIF S. DOCTOR, J.)