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

MISCELLANEOUS PETITION NO.157 OF 2022

Mamata Anand Bhandarkar ...Petitioner

Versus

Vilasini Anand Bhandarkar ...Deceased

Manoj Mane, i/b. Ruchita Samant for the Petitioner

CORAM : R.I. CHAGLA J.

DATE : 15TH SEPTEMBER, 2022

ORDER :

1. By this present Petition, the Petitioner seeks Legal Heirship Certificate under Section 2 of the Bombay Regulation Act, VIII of 1827 in respect of the deceased Vilasini Anand Bhandarkar. A copy of the death certificate is annexed at Exhibit 'A' to the Petition. The deceased was survived by the Petitioner who is the daughter of the deceased mentioned in the tabular form at paragraph 4 of the Petition. Save and except the Petitioner, there are no other legal heirs surviving the deceased.

2. It is stated that the Legal Heirship Certificate is required for the Petitioner to be produced before the Co-Operative Housing Society as mentioned in paragraph 9 of the Petition and other concerned Government Authorities for transferring the immovable properties more particularly described in the schedule annexed to the Petition in the name of the Petitioner.

3. Considering that the Petitioner is the only surviving legal heir of the deceased, there is no question of consent Affidavit of other heirs required in the present Petition.

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 reliefs sought for in the present Petition.

5. The Petition is accepted and allowed in terms of prayer clause (a) which reads thus:-

“(a) That a Legal Heirship Certificate be issued under the provision of the Bombay Regulation Act VIII of 1827, certifying that Mamata Anand Bhandarkar

(Daughter and the Petitioner herein) is the only heir and legal representative of the deceased.”

6. Proclamation is dispensed with.
7. The Petition is accordingly disposed of. No order as to costs.

[R.I. CHAGLA J.]