

The parents of the deceased predeceased the deceased. Save and except the persons mentioned in the tabular form at paragraph 4 of the Petition, there are no other heirs left by the deceased.

2 It is stated in paragraph 6 of the Petition that the legal heirship certificate is required to be produced before the concerned Income Tax Authorities to defend proceedings pending against the deceased and appeal, if necessary, any adverse order passed in such proceedings. The other heirs of the deceased which are the wife, married daughter and daughter of the deceased had filed their consent affidavits dated 04.09.2021 which are on record and by which the other legal heirs of the deceased have given their full and free consent in favour of the Petitioner for being granted the legal heirship certificate without service of operating notice upon them and without any surety being justified, if any, in the estate left by the deceased.

3 No other Petition for legal 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.

4 The Petition is 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 provisions of the Bombay Regulation Act, VIII of 1827, Hindu Succession Act, 1956 certifying that the Petitioner is one of the heirs and legal representatives of the Deceased Mr. Nickunj Shah.”

5 Proclamation is dispensed with.

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

(R.I. CHAGLA, J.)

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