

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY & INTESTATE JURISDICTION**

MISCELLANEOUS PETITION NO.211 OF 2022

1. Viren Rajtej Khot	
2. Sanjay Rajtej Khot	
3. Giriraj Rajtej Khot	.. Petitioners
<i>Rajtej Bhadrassen Khot</i>	.. Deceased

Ms. Shivani Paranjpe for the Petitioners.

CORAM : VALMIKI SA MENEZES, J.

DATE : 17TH NOVEMBER, 2022.

P.C. :

1. Leave granted to the petitioners to produce on record ration card of the deceased – Rajtej Bhadrassen Khot to show the place of abode of the deceased at Borivali (West), Mumbai. A copy of the ration card tendered in court is taken on record and marked as Exhibit-F to the petition.

2. By this petition, the petitioners seek issuance of Legal Heirship Certificate, under Section 2 of the Bombay Regulation VIII of 1872, in respect of Late Rajtej Bhadrassen Khot, who is said to have died intestate on 2nd June 2021. A copy of his Death Certificate is annexed as Exhibit-A (page 17) to the petition.

3. It is stated in the petition that the wife of the deceased has predeceased the deceased on 26th August 2004 and her Death Certificate is produced on

record at Exhibit-C (page 19) to the petition. It is further averred in the petition that the only surviving legal heirs of the deceased are those listed in the table at para 4 on page 4 of the petition and the said heirs have jointly filed the present petition. Accordingly, there is no requirement of issuing any proclamation in this petition.

4. The petitioners have annexed at Exhibit-D (page 20) to the petition a list of immovable properties titled as "Schedule of Assets", in which the deceased had interest. Along with the schedule of properties, the petitioners have produced Property Cards of each of those properties, which are part of the record in the petition. Petitioners state that they require Legal Heirship Certificate from this court for the purpose of making mutation entries in the Revenue Records / Property Cards of the said properties.

5. Considering all the above facts and the documents produced on record, I find no impediment in granting Legal Heirship Certificate to the petitioners. Accordingly, 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 petitioners under the provisions of Bombay Regulation VIII of 1827 certifying that the petitioners are the only heirs and legal representatives of the deceased."

6. Registry to act upon this order and issue Legal Heirship Certificate to the petitioners.
7. Miscellaneous Petition is disposed of in the above terms.

[VALMIKI SA MENEZES, J.]