

Vidya died on 2nd November 2020 as evidenced from her death certificate which is at “Exhibit-C, page-19” to the petition. Vidya is survived by her only son, petitioner herein. The petitioner seeks issuance of the Legal Heirship Certificate in the name of the only heirs of the deceased which are stated at page 3 para 4 of the petition. It is further stated that the deceased passed away intestate leaving no other heirs except the ones referred to in the said petition.

2. The Petitioner, at Paragraphs 8 and 9 of the petition states that the Legal Heirship Certificate is required to formally recognise the surviving legal heirs of the deceased in relation to the assets listed in Schedule at “Exhibit-G, page 25” to the petition.

3. Heir- Mrs. Geeta Sunilkumar Kadam, daughter of the deceased who is not a petitioner in the petition has filed her consent to issuance of the Legal Heirship Certificate in her name and in the name of the petitioner by way of consent affidavit dated 6th July 2022, which is at “Exhibit-F” to the petition. Her Aadhar Card is at “Exhibit-E, page 21” to the petition as a proof of her identity.

4. Considering that the legal heir Mrs. Geeta Kadam has waived notice and given her consent by filing of the affidavit, proclamation is dispensed with.

5. The deceased has died intestate, there is no impediment to the grant of relief sought by the petitioner.

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

“This Hon’ble Court be pleased to issue a Legal Heirship Certificate to the Petitioner under the provision of Bombay Regulation VIII of 1827 certifying that (1) Ameya Milind Rele (Grand-son) (2) Geeta Sunilkumar Kadam (daughter) are the only legal heirs and legal representatives of the deceased i.e. Somnath Nageshwar Sambhu.”

7. Registry to act upon this order and issue Legal Heirship Certificate.

(VALMIKI SA MENEZES, J)