

Kamal Krishna Bagh (Deceased) ... Respondent

Mr. Pravin V. Kamble for the Petitioner.

DATED : NOVEMBER 16 , 2022.

The Petitioner seeks a Legal Heirship Certificate under section 2 of Bombay Regulation VIII of 1827 in respect of deceased Kamal Krishna Bagh, who expired on 8th January 2021. At the time of his death he was residing at Flat No.15, Sabari Sadan CHS Ltd. Chhedanagar, Near Subramania Samaj Temple, Chember (West), Mumbai-400 089. A copy of his death certificate is at “Exhibit-A” to the Petition. Aadhar Card of deceased has been produced as a proof of his resident certificate. The deceased was survived by the his widow, 2 sons and a daughter. Their names are mentioned in the tabulation below Paragraph 4 of the petition.

2. The reasons stated by the petitioner for requiring a Legal Heirship Certificate are stated in paragraph 8 of the petition. A certificate is required to be produced before (1) The Swastik Chambers

Owners Co-operative Society Ltd. having office at 5th floor Swastik Chambers, CST Road, Chembur, Mumbai-400 071. (2) Sea Breeze Co-operative Housing Society Ltd. constructed on Plot No. 16, Sector – 16, Nerul, Navi Mumbai, District-Thane-400 706. (3) Office of the Registrar of the Companies, Maharashtra (4) Concerned Land Revenue Authorities in the State of West Bengal (5) Indian Overseas Bank, Chedda Nagar Branch, Chembur, Mumbai-400 089 and (6) Head Post Office Thane, West-400 601 as well as concerned Government/Semi Government authorities and Bank Authorities.

3. The certificate is required for effecting the change in the name of the deceased and transfer the share certificates on revenue records and for recording the change in the name of the deceased with the bank account referred to in paragraph 8 of the petition.

4. All the heirs have given their consent for issuance of certificate by filing necessary affidavits along with petition. Accordingly, proclamation is dispensed with.

5. Considering all the above facts. There is no impediment to the grant of relief.

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

“ That a Legal Heirship Certificate be issued under the provision of the Bombay Regulation Act VIII of 1827, Certifying that (1) Purnima Kamal Bagh (Widow of the

deceased), (2) Sidharath Deb Bagh (Son of the deceased and the petitioner herein) and (4) Monalisa Kamal Krishna Bagh (Daughter of the deceased) are the only heirs and Legal representative of the deceased”

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

(VALMIKI SA MENEZES, J)