

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 257 OF 2022**

Salma Suleman Lakdawala and Ors. ... Petitioners

Suleman Mohamed Lakdawala ... Respondent
(deceased)

Mr. Siddharth Desai I.by Mr. Usman Seliya for the Petitioners.

CORAM : VALMIKI SA MENEZES, J.

DATED : NOVEMBER 18, 2022.

P.C. :

. The Petitioner seeks a Legal Heirship Certificate under section 2 of Bombay Regulation VIII of 1827 in respect of deceased Suleman Mohamed Lakdawala, who is said to have died intestate on 16th January 2022 and his place of abode was Sir JJ Road, Christ Church School Byculla, Greater Mumbai, Mumbai, Maharashtra-400 008. A copy of his death certificate is at "Exhibit-A, page-13" of the Petition. Aadhar Card of deceased which is at "Exhibit-B, page-14" of the petition. The deceased was survived by his widow, two sons and two daughters.

2. The petition has been filed by the wife of the deceased, Smt. Salma Lakdawala and by his two sons-Petitioner nos. 2 and 3 and two daughters-Petitioner Nos. 4 and 5. They have stated in the

petition that apart from the names recorded in the table at Paragraph-4 below of the petition that the deceased has no other legal heirs except the petitioners i.e. petitioner no. 1-wife and petitioner nos. 2 and 3-sons and Petitioner nos. 4 and 5-daughters. They have produced their Aadhar Cards, which are at “Exhibit-C, D, E, F and G” of the petition.

3. The reasons for requiring the Legal Heirship Certificate are stated in Paragraph no.7 of the petition, namely, that the same is required for the purpose to produce the same before the office of the Bharat Petroleum Corporation Limited, Sewri, Mumbai for proving that the petitioners are heirs of the deceased and enable the petitioners to obtain Dealership of BPCL, which was earlier in the name of deceased.

4. Considering the statements made in the petition and the documents annexed to the petition, I find no impediment to the grant of relief sought by the petitioners to issue the Legal Heirship Certificate.

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

“ That the Legal Heirship Certificate may be granted to the Petitioners certifying that Salma Suleman Lakdawala, Imran Suleman Lakdawala, Farhan Suleman Lakdawala, Zahera maqsud Wadia and Sadaf Hafiz Turani, are the legal heirs and representatives of the said deceased under the provisions of the Bombay

Regulation Act VIII of 1827.”

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

(VALMIKI SA MENEZES, J)