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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION

MISCELLANEOUS PETITION NO.195 OF 2021

Akshaya Prashant Gurav

...Petitioner

And

Prashant Tukaram Gurav

...Deceased

Ms. Bhambid Kashinath Bhikaji for the Petitioner.

CORAM : R.I. CHAGLA J.

DATE : 25TH MARCH, 2022

ORDER :

1. By this present Petition, the Petitioner seeks Legal Heirship Certificate under Section 2 of the Bombay Regulation Act, VIII of 1827 in respect of the deceased Prashant Tukaram Gurav who expired at Mumbai on 15th August, 2018. A copy of the death certificate is annexed at Exhibit A to the Petition.

2. The deceased was survived by legal heirs who have been mentioned in the tabular form at paragraph 4 of the Petition. It is stated that save and except the legal heirs mentioned therein, the

deceased left no other legal heirs.

3. It is stated that the legal heirship certificate is required to be submitted before the Government of Maharashtra, Office of the Charity Commissioner, Mumbai under preference treatment in the place of the said deceased. The deceased has left no other property.

4. The other legal heirs of the deceased have filed their Consent Affidavit dated 3rd October, 2021 giving their free and full consent that legal heirship certificate be granted to the Petitioner without any further notice upon them.

5. No other Petition for Legal Heirship Certificate, Succession Certificate, Probate or Letters of Administration with or without Will annexed, has been filed. Therefore, I do not find any impediment in granting the reliefs sought for in the present Petition.

6. The Petition is accepted and allowed in terms of prayer clause (a) which reads thus:-

“(a) That the Legal Heir Certificate in the Form of

Appendix of Bombay Regulation VIII of 1827 may be issued to the petitioner Akshaya Prashant Gurav declaring that the petitioner along with heirs mentioned above are the only heirs and Legal Representatives of the said deceased.”

7. Proclamation is dispensed with.
8. The Petition is accordingly disposed of. No order as to costs.

[R.I. CHAGLA J.]