

Sachin Mahadeo Samant	...	Petitioner
Mahadeo Malhar Samant (Deceased)	...	Respondent

1 of 3

Samant-son of the deceased has been produced at Exhibit-D, page 17 to the petition.

2. The Legal Heirship Certificate is stated to be required for transferring the share certificate and flats which are described in Item No. 1 and 2 of Schedule of Assets, Exhibit-F, page – 21 annexed to the petition.

3. Heir- Mr. Deepak Samant, son of the deceased who is not a petitioner herein has filed his consent to issuance of the Legal Heirship Certificate by way of consent affidavit dated 6th July 2022, which is at Exhibit- 'E' to the petition. Since there is waiver of notice and a consent of the other legal heir for issuance of certificate by filing affidavit along with petition, proclamation is dispensed with.

4. The deceased has died intestate, I find no impediment to the grant of relief sought by the petitioner.

5. 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) Sachin Mahadeo Samant (Son) (2). Deepak Mahadeo Samant (Son) are the only legal heirs of the deceased i.e. Mahadeo Malhar Samant alias M.M. Samant.”

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

(VALMIKI SA MENEZES, J)