

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.246 OF 2022**

Kashiram Tukaram Sawant alias Kashiram T. Sawant
alias Kashiram Sawant ... Deceased

Mahendra Kashiram Sawant ... Petitioner

Mr. S. U. Lakdawala a/w Mr. Vijay Badgujar for the Petitioner.

CORAM : ARIF S. DOCTOR, J.

DATE : 12TH DECEMBER 2022

P.C. :

1. The Petitioner seeks the grant of a Legal Heirship Certificate under the provisions of Section 2 of the Bombay Regulation VIII of 1827 in respect of one Kashiram Tukaram Sawant alias Kashiram T. Sawant alias Kashiram Sawant ('the deceased'), who is said to have died intestate at Bhairichwadi, Nirvhal, Taluka Chiplun, Ratnagiri 415 701, Maharashtra on 31/01/2015. A copy of the death certificate of the deceased is also annexed to the Miscellaneous Petition. The said deceased had a fixed place of abode at 4/152, Shiv Krupa Building, S. B. Pawar Marg, Near Curry Road Station, Delisle Road, Mumbai 400 013.

2. The Legal Heirship Certificate is required for transfer of tenanted immovable property, viz., Room No.4/152, Shiv Krupa Building, S. B. Pawar Marg, Near Curry Road Station, Delisle Road, Mumbai 400 013, being in the name of deceased.

3. The said deceased left behind him the following persons as his only heirs and next of kin according to the Hindu Succession Act, 1956, who are residing at the following address :-

Sr. No.	Name of the next of kins	Relationship with the deceased	Address
a.	Mrs. Sumitra Kashiram Sawant died on 21-12-2016	Widow	
b.	Mr. Mahendra Kashiram Sawant Aged : 51 years, Petitioner herein	Son	4/152, Shiv Krupa Bldg., S. B. Pawar Marg, Nr. Curry Road Station, Delisle Road, Mumbai 400 013.
c.	Mr. Chandrakant Kashiram Sawant Aged 33 years	Son	
d.	Mr. Suryakant Kashiram Sawant Aged 55 years	Son	1C/403, Neelganga CHS, Matulya Mill Compound, S. N. Path, Lower Parel West,

			Delisle Road, Mumbai – 400 013.
e.	Mrs. Anjani Ambaji Sakpal Aged 70 years	Married Daughter	R. No.505, 5 th Flr., C Wing, Pimpleshwar Co. op. Hsg. Soc., Curry Rd, Delisle Rd. Mumbai – 13.
f.	Mrs. Sunita Ramesh Pandit Aged 66 years	Married Daughter	14/D-2, Gitanjai C. H. S. Mhada Colony, VTC Mulund (E), Mumbai 400 081.
g.	Mrs. Smita Shriram Garg Aged 55 years	Married Daughter	R. No.2, Ghag Chawl, Ghag Compound, S. P. Road, Near Gas Godown, Vaishali Nagar, Dharkhadi, Dahisar (East), Mumbai – 400 068.
h.	Mrs. Radhika Ajit Patil Aged 55 years	Married Daughter	C-203, Shanaji Marg, Vile Parle (East), Mumbai.

4. No other Petition for Legal Heirship Certificate, Succession Certificate, Probate or Letters of Administration with or without Will annexed has been filed. Therefore, there is no impediment in law to the grant of relief. The consent affidavits of the legal heirs are also placed on record.

5. The Miscellaneous Petition is therefore made absolute in terms of prayer clause (a) of the Miscellaneous Petition, which reads as under :-

“a. That a Legal Heirship Certificate be granted in favour of Petitioner along with heirs mentioned in Para 4 above certifying them as legal heirs / representative of the said Deceased under the Provision of Bombay Regulation Act, VIII of 1827;”

6. The Registry shall issue the Legal Heirship Certificate in the standard format prescribed for the same.

7. Proclamation is dispensed with.

8. Miscellaneous Petition is accordingly disposed of. There shall be no order as to costs.

9. All concerned to act on the authenticated copy of this order.

(ARIF S. DOCTOR, J.)