

of the deceased predeceased the deceased. The husband of the deceased expired on 10.12.2003, predeceasing the deceased.

2 It is stated in the Petition that the legal heirship certificate is required to be produced before the MHADA, BMC, SRA, concerned Society or any other concerned authority to transfer the said property i.e. Room No.145, Building No.4, S.L. Raheja Road, Near St. Xavier College, Fisherman Colony, Mahim (W), Mumbai-400 016 in the name of the Petitioner.

3 The other heirs of the deceased which are the son and two daughters of the deceased have filed their joint consent affidavit dated 05.10.2021 giving their free and full consent to grant the legal heirship certificate in favour of the Petitioner by waiving the service of proclamation and/or notice upon them and without justifying surety for their share in the estate of the deceased.

4 No other Petition for legal heirship certificate, succession certificate, probate or letters of administration with or without will annexed has been filed. There is no impediment to the grant of relief.

5 The Petition is accepted and made absolute in terms of prayer clauses (a) and (b) which reads thus :

“A) 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 the petitioner along with the heirs mentioned above are the only heirs and legal representatives of the said deceased.

B) This Hon’ble Court be please provide the Legal Heirship Certificate to the Petitioner for transfer the said property i.e. Room No.145, Building No.4, S.L. Raheja Road, Near St. Xavier College, Fisherman Colony, Mahim (W), Mumbai-400 016 on the name of Petitioner.”

6 Proclamation is dispensed with.

7 The Miscellaneous Petition is accordingly disposed of. No order as to costs.

Digitally
signed by
WAISHALI
SUSHIL
WAGHMARE
Date:
2022.01.24
16:21:41
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(R.I. CHAGLA, J.)