

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY & INTESTATE JURISDICTION**

MISCELLANEOUS PETITION NO.215 OF 2022

1. Avanti Ajit Bandkar @ Harsha Prafulla Dhoke
2. Girishkumar Prafulla Dhoke .. Petitioners

Pratibha Prafulla Dhoke .. Deceased

Mrs. Sujata R. Babar for the Petitioners.

CORAM : VALMIKI SA MENEZES, J.

DATE : 17TH NOVEMBER, 2022.

P.C. :

1. By this petition, the petitioners seek issuance of Legal Heirship Certificate, under Section 2 of the Bombay Regulation VIII of 1872, in respect of Late Pratibha Prafulla Dhoke, who is said to have died intestate on 13th August 2007. A copy of her Death Certificate is annexed as Exhibit-A (page 17) to the petition. It is further stated that the place of abode of the deceased was at Prabhadevi, Mumbai. The Death Certificate of the husband of the deceased has also been produced on record as Exhibit-B (page 19) to the petition proving that husband of the deceased died on 5th April 2021.

2. The petitioners are the only heirs of the deceased, as stated in para 4 of the petition, and that there are no other competing heirs to the estate of the deceased. Since such a statement was made in the petition, proclamation is dispensed with.

3. The petitioners are stated to have required Legal Heirship Certificate for the purpose, as stated in para 9 of the petition, of transferring the property of the deceased to their names. The particulars of the subject property are described in para 8 of the petition.

4. Considering all the above facts and the documents produced on record, I find no impediment in granting Legal Heirship Certificate to the petitioners. Accordingly, the petition is made absolute in terms of prayer clause (a), which reads thus :-

“(a). That Legal Heirship Certificate be issued certifying that the petitioners are the only heirs and legal representatives of the deceased under the provisions of Bombay Regulation Act VIII of 1827. Details are mentioned in para no.8 of the petition.”

5. Registry to act upon this order and issue Legal Heirship Certificate to the petitioners.

6. Miscellaneous Petition is disposed of in the above terms.

[VALMIKI SA MENEZES, J.]