

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.276 OF 2022**

Sitaram Narayan Purusha ... Deceased

Leelavathi Sitaram Purusha ... Petitioner

Mr. Priyal G. Sarda and Mr. Praveen B. Kamble for the Petitioner.

CORAM : ARIF S. DOCTOR, J.

DATE : 16TH 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 Sitaram Narayan Purusha (“the deceased”), who is said to have died intestate at Mumbai on or about 13/04/2020. A copy of the death certificate of the deceased is also annexed to the Miscellaneous Petition. The said deceased is stated to have been the resident of Mumbai. The said deceased died intestate and that in spite of due diligent search has been made for his Will, but none has been found.

2 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.	Names and addressed of the heirs and next of kins of the deceased abovenamed	Age	Relationship with the deceased
1.	Leelavathi Sitaram Purusha R/at. Sea Star Catering Service, Carter Road, Hanuman Nagar, Near Amrut CHSL, Mumbai 400 052.	54 years	Widow (Petitioner)
2.	Dhananjay Sitaram Purusha R/at. Sea Star Catering Service, Carter Road, Near Amrut CHS, Opp. Gagangiri Soc., KharDanda, Khar (W), Mumbai 400 052.	23 years	Son
3.	Padmashree Sitaram Purusha R/at. Sea Star Catering Service, Carter Road, Near Amrut CHS, Hanuman Nagar, Khar (W), Mumbai 400 052.	31 years	Daughter
4.	Rajeshwari Sitaram Purusha R/at. Sea Star Catering Service, Carter Road, Near Amrut CHS, Opp. Gagangiri Soc., KharDanda, Khar(W), Mumbai 400 052.	27	Daughter

3 Petitioner is the wife of deceased. Other three legal heirs (son and two daughters) have given their consent affidavits which are annexed to the Petition. It is stated that the Legal Heirship Certificate is required to produce the same before the concerned authorities of Mumbai, Thane and in the State of Maharashtra and other Government bodies as well as Semi Government bodies of Kerala State for the purpose of completing the legal formalities to enter the name of the Petitioner as one of the legal heirs of the said deceased in all the official records as required by the said authorities as well as for her record in future use.

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. As stated above, the consent affidavits of the legal heirs are also placed on record.

5 I have heard the learned counsel appearing for the Applicant/Petitioner as well as perused the copy of the said Petition and that the same is in order.

6 The Miscellaneous Petition is therefore made absolute in terms of

prayer clause (A) of the Miscellaneous Petition, which reads as under :-

“A) This Hon’ble Court be pleased to issue a Legal Heirship Certificate under the provision of Bombay Regulation VIII of 1827 certifying that the Petitioner along with the heirs mentioned in Para 4 are the only heirs and legal representatives of the said deceased;”

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

8 Proclamation is dispensed with in view of the consent affidavits filed by the other legal heirs of the deceased.

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

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

(ARIF S. DOCTOR, J.)