

Sharayu Khot.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION

MISCELLANEOUS PETITION NO. 20 OF 2022

Lata Paramanand Desai

...Petitioner

And

Malati Madhav Nerurkar

...Deceased

Mr. Prabhu Velar for the Petitioner.

CORAM : R.I. CHAGLA J

DATE : 21 October 2022

ORDER :

1. By the present Petition, the Petitioner seeks a Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of the deceased Malati Madhav Nerurkar, who expired in Mumbai on 7th May 2021. A copy of her death certificate is annexed at Exh.A to the Petition.

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2. The deceased was survived by the Petitioner who is the married daughter of the deceased as well as other three married daughters of the deceased and grand-daughter of the deceased. Their

particulars as well as relationship with the deceased have been mentioned in the tabular form at paragraph 4 of the Petition.

3. Save and except these legal heirs of the deceased, there are no other legal heirs of the deceased.

4. It is stated in paragraph 10 of the Petition that the Legal Heirship Certificate is required to enter the name of the Petitioner in the share certificate of the co-operative housing societies for Land Revenue Authorities to carry out the mutation entries and to provide before any other Government and semi-Government Authorities and for the purpose of own record.

5. The other legal heirs of the deceased had filed Consent Affidavits which are on record.

6. No other Petition for a 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 in the present Petition.

7. The Petition is accepted and made absolute in terms of prayer clause (a), 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 (1) Lata Parmanand Desai (daughter) (2) Alka Deepak shah (daughter) (3) Uttara Kamlakar Desai (daughter) (4) Rajani Arun Pandit (daughter) (5) Yogita Shashikant Desai (Grand-daughter) all being the only heirs of the said deceased abovenamed.”

8. Proclamation dispensed with.
9. Miscellaneous Petition is disposed of.
10. No order as to costs.

[R.I. CHAGLA J.]