

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.155 OF 2022**

Atulkumar Sevantilal Tolia

... Deceased

Latha Atulkumar Tolia

... Petitioner

Ms. Dhara Shah i/by Satish J. Agarwal for the Petitioner.

CORAM : ARIF S. DOCTOR, J.

DATE : 05TH 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 deceased Atulkumar Sevantilal Tolia ('the said deceased'), who is said to have died intestate in Mumbai on 28/05/2021. A copy of the death certificate of Atulkumar Sevantilal Tolia is also annexed to the Miscellaneous Petition. The said deceased is stated to have been the resident of Mumbai.

2. The Legal Heirship Certificate is required to facilitate the transfer of the half share of the deceased in the immovable property being B-102, Vastu Tower, Tower-1, Evershine Nagar, Malad West, Opp. Ryan International School, Mumbai, Maharashtra – 400064. 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 addresses of the heirs of the deceased abovenamed	Age	Relationship with the deceased
1.	Latha Atulkumar Tolia B-102, Vastu Tower, Tower-1, Evershine Nagar, Malad West, Opp. Ryan International School, Mumbai, Maharashtra – 400064.	52 years	Wife of the deceased (Petitioner)
2.	Ananya Atulkumar Tolia B-102, Vastu Tower, Tower-1, Evershine Nagar, Malad West, Opp. Ryan International School, Mumbai, Maharashtra – 400064.	14 years	Minor Daughter of the deceased
3.	Bhanumati Sevantilal Tolia	86 years	Mother of the deceased

3. 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.

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

“(a) That the Petitioner and her minor daughter Ananya Atulkumar Tolia and Bhanumati Sevantilal Tolia be declared as the only legal heirs of Late Atulkumar Sevantilal Tolia”

5. The Registry shall issue the Legal Heirship Certificate in the name of the above person in the standard format prescribed for the same.
6. Miscellaneous Petition is accordingly disposed of. No order as to costs.
7. All concerned to act on the authenticated copy of this order.

(ARIF S. DOCTOR, J.)