

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

MISCELLANEOUS PETITION NO.170 OF 2022

Ranjana Gajanan Salunkhe and Anr.

.. Petitioners

Gajanan Padu Salunke

.. *Deceased*

Mr. Himanshu R. Rai, with Mr. Dinesh A. Wani, i/by Mr. Jayant A. Wani, for
the Petitioners.

CORAM : VALMIKI SA MENEZES, J.

DATE : 16TH NOVEMBER, 2022.

P.C. :

1. The petitioners seek a Legal Heirship Certificate, under Section 2 of the Bombay Regulation VIII of 1872, in respect of Gajanan Padu Salunke, who is said to have expired intestate on 21st October 2019 at Sidhivinayak Chawl, Tanaji Nagar, Kurar Village, Malad (East), Mumbai-400097. A copy of his Death Certificate is annexed as Exhibit-A to the petition .

2. It is stated in the petition that the deceased was survived by his widow – Ranjana Gajanan Salunke, who is the second wife of the deceased; the said Ranjana has one minor son – Master Parth Gajanan Salunke. It is further stated in the petition that the first wife of deceased Gajanan Salunke was also known as Ranjana Gajanan Salunke. The deceased left five children as his heirs, namely, Gaurav Gajanan Salunke, Sagar Gajanan Salunke, Suhani Sudhir Nikam, Shobhana Gajanan Salunke @ Darshana Dinesh Ghate and Kiran Gajanan Salunke @ Kiranben Vijaykumar Nayi. Thus, all the heirs of

deceased Gajanan Padu Salunke are listed in a tabulated form in the petition at pages 4 and 5. It is also recorded in the petition that the deceased expired intestate.

3. The petition is filed since the heirs required a Legal Heirship Certificate. The reasons are stated in paragraph 11 of the petition; that the petitioner no.1-Ranjana Gajanan Salunke is approaching the concerned authority for claiming pension and petitioner no.2-Sagar Gajanan Salunke is approaching the concerned authority seeking a job.

4. All the heirs referred to in the table at page 4 of the petition have given their consent to the petition, save and except for the minor child. Proclamation is therefore dispensed with. The petition is made absolute in terms of prayer clause (a), which is reproduced hereunder :-

“(a). The petitioners states that in view of the above position and in view of the petitioners being the legal heirs of the deceased have filed the above petition for Heirship Certificate, the petitioners prays that this Honourable Court be pleased to grant / issue a Heirship Certificate in favour of the petitioners along with all legal heirs under the provisions of Bombay Regulation Act, VIII of 1827.”

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

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

[VALMIKI SA MENEZES, J.]