

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.55 OF 2022**

Pradeep Shankar Shede

... Deceased

1. Supriya Anand Uthale

2. Mansi Mithil Parmale

... Petitioners

Mr. Ashok M. Misal for the Petitioners.

CORAM : ARIF S. DOCTOR, J.

DATE : 17TH JANUARY 2023

P.C. :

1. The Petitioners seek the grant of a Legal Heirship Certificate under the provisions of Section 2 of the Bombay Regulation VIII of 1827 in respect of one Pradeep Shankar Shede ('the deceased'), who died in Mumbai on 13/09/2020. A copy of the death certificate is annexed to the Miscellaneous Petition. It is stated that despite due and diligent search, no Will of the deceased has been found. It is therefore assumed that the deceased died intestate.

2. The Petitioners are the sole legal heirs of the deceased as per the Hindu Succession Act, 1956.

3. The reasons for which the Legal Heirship Certificate is required are set out in paragraphs 7 and 8 of the Miscellaneous Petition.

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.

5. I have heard the learned Counsel appearing on behalf of the Petitioners as well as perused the said Petition. I find that the same is in order and deserves to be allowed in the interest of justice.

6. The Miscellaneous Petition is therefore allowed in terms of prayer clause (a) which reads as under :-

“a) That a Legal Heirship Certificate be issued under the provision of Bombay Regulation Act VIII of 1827, certifying that (1) Supriya Anand Uthale (Married Daughter of the Deceased and the Petitioner No.1 herein) and (2) Mansi Mithil Parmale (Married Daughter of the Deceased and the Petitioner No.2 herein), are the only heirs and Legal Representatives of the Deceased abovenamed.”

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

8. As the Petitioners are the sole legal heirs of the deceased, the proclamation is dispensed with.

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

(ARIF S. DOCTOR, J.)