

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.216 OF 2022**

Murur Ravindra Prabhu

... Deceased

Sri Prasad Prabhu

... Petitioner

Mr. M. S. Lad for the Petitioner.

CORAM : ARIF S. DOCTOR, J.

DATE : 07TH JANUARY 2023

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 Murur Ravindra Prabhu ("the deceased"), who died intestate in Mumbai on 01/08/2019. 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.

2. The learned Counsel for the Petitioner submitted that the persons mentioned in the table in Paragraph 4 of the Petition are the only legal heirs and next-of-kins of the deceased according to the Hindu Succession Act, 1956.

3. The reasons for which the Legal Heirship Certificate is required are set out in Paragraph 7 of the Miscellaneous Petition. The consent affidavit of the legal heir is also placed on record.

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 Petitioner 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. This Hon’ble Court be pleased to issue a Legal Heir ship Certificate to the petitioner under the provision of Bombay Regulation VIII of 1827 certifying that the Petitioner along with the heirs mentioned above 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. In view of the consent given by the legal heir 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.)