

Ms. Shraddha Naik and Mr. Kaustubh Joshi for petitioners.

CORAM : MANISH PITALE, J.
DATE : 08th SEPTEMBER, 2023

By this petition filed under the provisions of Bombay Regulation VIII of 1827, the petitioners are seeking issuance of legal heirship certificate declaring the petitioners as the legal heirs of the deceased Malini Satish Mally.

2. It is stated in the petition that the deceased, at the time of her death, had a fixed place of abode at Uma No.11, 1st floor, Kashinath Dhuru Road, Dadar (West), Mumbai-400028.

3. It is further stated that the said deceased Malini Satish Mally expired on 16.06.2014 and her husband also expired on 26.04.2021. Copies of death certificates of Malini Satish Mally and her husband Dr. Satish Chandra Mally are placed on record.

4. The petitioners are the daughter and son of the deceased. It is specifically stated that the deceased died intestate and no will is said to have been executed.

5. It is also stated in the petition that the deceased was a tenant of the aforementioned address at Dadar in Mumbai. Copies of documents of identity are placed on record.

6. In view of the facts stated in the petition, proclamation is dispensed with. There is nothing on record to show that any petition has been filed seeking succession certificate or letters of administration without will in the context of the deceased and hence, this Court is convinced that the prayer made in the present petition can be granted.

7. In view of the above, the petition is allowed in terms of prayer clause (a), which reads as follows:

“(a) The legal Heirship Certificate of Malini Satish Mally may be granted to them and they be declared as legal heirs and legal representatives of the deceased.”

8. The petition is disposed of.

(MANISH PITALE, J.)

Priya Kambli