

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION

MISCELLANEOUS PETITION NO. 349 OF 2023

Satish Gajanan Varadkar

...Deceased

Supriya Satish Varadkar

...Petitioner

- Ms. Gauri Duduskar, for Petitioner.

CORAM : MANISH PITALE, J.

DATE : 06th NOVEMBER, 2023.

P. C. :

1. Heard learned Counsel for the Petitioner.
2. This petition is filed under the provisions of Bombay Regulation Act, VIII of 1827, for issuance of legal heir-ship certificate in favour of the Petitioner.
3. The deceased was the husband of the Petitioner, who died on 09th October, 2022. Copy of the death certificate is annexed to the petition.
4. It is stated that at the time of his death the deceased had a fixed place of abode at 4/A-605, Dheeraj Dreams CHS, L.B.S. Road, Bhandup (West) Greater Mumbai, Mumbai Suburban, Maharashtra - 400 078 and left property within Greater Bombay and in the State of Maharashtra.
5. It is further stated that the deceased died intestate, without leaving behind any Will or Testamentary Writing.

6. In paragraph no. 4 of the petition, the Petitioner has specifically stated that she is the only surviving legal heir of the deceased, being his widow. It is stated that the deceased and the Petitioner did not have any children and that parents of the deceased predeceased him. The Petitioner has also annexed copy of her Aadhar Card, in order to show that she is the widow of the deceased.

7. It is stated that the Petitioner is a joint owner of a flat in a Co-operative Housing Society and she requires the legal heir-ship certificate for making appropriate changes in the share certificate pertaining to the said flat.

8. In view of the above, the petition is accepted and proclamation is dispensed with.

9. In the interest of justice, the petition is allowed in terms of prayer clause (a), which reads as follows :

“a) This Hon’ble Court be pleased to issue a Legal Heirship certificate to the Petitioner under the provisions of the Bombay Regulation Act, VII of 1827 certifying that Smt. Supriya Satish Varadkar being the only heirs of the said deceased abovenamed.”

10. The department to further proceed in the matter.

(MANISH PITALE, J.)