

Ajay

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

MISC. PETITION NO. 271 OF 2022

Gopal Manga Waghela .. Deceased

Nikhil Gopal Waghela .. Petitioner

-
• Mr. Santosh S. Chodankar, Advocate for Petitioner.

.....
CORAM : MILIND N. JADHAV, J.

DATE : JUNE 06, 2023.

P.C.:

1. Heard Mr. Chodankar, learned Advocate for Petitioner.
2. Present Misc. Petition is filed by the Petitioner for issuance of legal heirship certificate under Section 2 of the Bombay Regulation VIII of 1827 in respect of deceased Gopal Manga Waghela.
3. Purpose for filing the present Petition is stated in paragraph No.8 in respect thereof and reads thus:

“8. That the said married daughter of deceased Mrs. Prathna Ravikumar Prajapati has given her consent by her affidavit dated 04/04/2022 to the Petitioner to apply for and obtain Legal Heirship Certificate for seeking the job on compensate ground in place of the deceased Gopal Manga Waghela with the Wilson College. Hereto annexed and marked as EXHIBIT - “D” is the said Consent Affidavit of Smt. Kanchan Gopal Waghela dated 04/04/2022.”

4. Mr. Chodankar has drawn my attention to page No.13 – Exhibit ‘B’ to the Petition which is a letter given by Wilson College

seeking legal heirship certificate from the Petitioner for providing job on compassionate grounds to him.

5. At page Nos.14 and 17 of the Petition, Consent Affidavit of deceased wife dated 04.04.2022 is filed. Further Consent Affidavit of the sister namely Prathana Ravikumar Prajapati (Prathana Gopal Waghela) dated 04.04.2022 has also been filed. I have perused both the Consent Affidavits.

6. In view of the above, Misc. Petition stands allowed in terms of prayer clause (a) which reads thus:-

“(a) That a Legal Heirship Certificate certifying that the Petitioner mentioned hereinabove is the heir and legal representative of the said deceased Gopal Manga Waghela; alongwith other legal heirs mentioned in Para No.4.”

7. Misc. Petition is disposed.

[MILIND N. JADHAV, J.]

Ajay

AJAY
TRAMBAK
UGALMUGALE
Digitally signed by
AJAY TRAMBAK
UGALMUGALE
Date: 2023.06.08
11:12:36 +0530