

Ajay

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

MISC. PETITION NO. 247 OF 2023

Sudheendra Dheerendra Chikkerur .. Deceased

Abhijeet Sudheendra Chikkerur .. Petitioner

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- Mr. Vinayak Katti, Advocate for Petitioner.
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CORAM : MILIND N. JADHAV, J.

DATE : JUNE 09, 2023.

P.C.:

- 1.** Heard Mr. Katti, learned Advocate for the 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 Sudheendra Dheerendra Chikkerur. Apart from the son, widow of the deceased is the other legal heir. Their details are mentioned in paragraph No.4 of the Petition.
- 3.** Purpose for filing the present Petition is stated in paragraph No.6 and reads thus:-

“6. The Petitioner states that after the death of the said Deceased, the Petitioner has applied to the Authorities of Ajman Free zone, UAE, for transfer of General Trade Import and Export License, from deceased name to the Petitioners name. In response to the same, the Petitioner was orally directed to produce a Legal Heirship Certificate issued by Competent Court of Law, so as enable the said authority to proceed with the request of the Petitioner.”

4. As seen the Petitioner has sought transfer of the Trade Licence from the name of the deceased to his name. Mr. Katti would submit that once the heirship certificate is produced and transfer takes place, it will enure to the benefit of their employees and therefore seeks urgent orders.

5. Consent Affidavit dated 08.05.2023 at page No.27 of the wife (widow) of the deceased has been filed on record and perused by me.

6. In view of the above, present Misc. Petition is allowed and disposed of in terms of prayer clauses (a) and (b) which reads thus:-

“(a) That a Legal Heirship Certificate be issued under the provision of Bombay Regulation Act VIII of 1827, certifying that Petitioner alongwith (1) Kavita Sudheendra Chikkerur (Widow) is the only legal heirs and representatives of Deceased abovenamed.

(b) That issuance of Proclamation be dispensed with.”

7. Mr. Katti, learned Advocate has made an unusual request to the Court stating that the issuance of the grant be expedited so as to enable the Petitioner to file the same with the concerned authorities so that it may not be detrimental and prejudicial to the Petitioner's interest.

8. I have perused the averments made to that effect in the Petition and in view thereof, the Department is directed to issue the grant to the Petitioner on or before 14.06.2023.

9. Misc. Petition is disposed.

[MILIND N. JADHAV, J.]

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