

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.233 OF 2022**

Giriraj Sinhji Shivraj Sinhji Jadeja alias
Girirajsinh Shivrajsinhji Jadeja alias
Girirajsinhji Shivrajsinhji Jadeja ... Deceased

Bhuvneshwarikumari Jadeja alias
Bhuvnashwarikumari Girirajsinh Jadeja ... Petitioner

Ms. Juhi Bahirwani i/by Veritas Legal for the Petitioner.

CORAM : ARIF S. DOCTOR, J.
DATE : 02ND 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 Giriraj Sinhji Shivraj Sinhji Jadeja alias Girirajsinh Shivrajsinhji Jadeja alias Girirajsinhji Shivrajsinhji Jadeja ('the deceased'), who died in Mumbai on 05/12/2019. 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. It is stated that the Petitioner is the only legal heir and next of kin according to the Hindu Succession Act, 1956.

3. The said Legal Heirship Certificate is required for producing the same before the concerned authorities for transferring immovable properties as well as certain amounts, which are held in the name of the deceased, as more particularly stated in Paragraph 7 of the Miscellaneous Petition.

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 perused the present Miscellaneous Petition and heard the learned Counsel appearing on behalf of the Petitioner. I find that the same is in order and deserves to be allowed.

6. The present 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 Heirship Certificate to the petitioner under the provision of Bombay Regulation VIII of 1827 certifying that the Petitioner above is the only heir and legal representative of the Deceased.”

7. The Registry shall issue the Legal Heirship Certificate in the standard format prescribed for the same.
8. In view of the fact that the Petitioner is the only legal heir, 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.)