

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 275 OF 2022

Mrs. Guilhermina Concessao Fernandes ... Deceased

Frenvy Pranav Joshi ... Petitioner

Adv. Rehana Nulwala i/by Adv. Priscilla Samuel for the Petitioner.

CORAM : ARIF S. DOCTOR, J.

DATE : 10th January, 2023

P.C. :

1. Since the personal law applicable to the deceased at the time of death has not been mentioned, the learned counsel for the Petitioner seeks liberty to correct the Petition by stating the same.
2. Liberty as prayed for is granted. Correction to be carried out forthwith.
3. The Petitioner seeks a Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of one Mrs. Guilhermina Concessao

Fernandes, who is said to have died on 10th December, 2021. A copy of her death certificate is annexed. The Petitioner is the only surviving legal heir of the deceased in accordance with Indian Succession Act, 1925.

4. The Legal Heirship Certificate is required for the purposes claiming benefits accrued to the deceased.

5. Since the Petitioner is the only surviving heir, issuance of proclamation has been dispensed with. No other Petition for a Heirship Certificate, Succession Certificate, Probate or Letters of Administration with or without will annexed has been filed. There is no impediment to the grant of relief.

6. The petition is made absolute in terms of prayer clause (a) in favour of the Petitioner.

(ARIF S. DOCTOR, J.)