

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

MISCELLANEOUS PETITION NO. 73 OF 2023

Heera Lachmandas Kirpalani alias

Heera Lachmandas Kirpalani

...Deceased

Asha Lachmandas Kirpalani

...Petitioner

Adv. Prabhu Velar for the Petitioner.

CORAM : ARIF S. DOCTOR, J.

DATE : 10th FEBRUARY, 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 Heera Lachmandas Kirpalani (“the deceased”), who died at Mumbai on 11th January, 2014. A copy of the death certificate is annexed to the Miscellaneous Petition.

2. The deceased left behind him the Petitioner as his only legal heir and next-of-kin of the deceased according to the Hindu Succession Act, 1956.

3. The reason for requirement of Legal Heirship Certificate is set out in paragraph No. 6 of the 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 heard the learned Counsel appearing on behalf of the Petitioner as well as perused the said Petition. I find that the same is in order and deserves to be allowed in the interest of justice.

6. The Miscellaneous Petition is therefore allowed in terms of prayer clause (a) and (b) which read 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 Asha Lachmandas Kirpalani is the legal heir of the deceased are 1. Asha Lachmandas (daughter) & Lachmandas Pohumal Kirpalani (husband).
b. Proclamation may be dispensed with.”*

7. The Registry shall issue the Legal Heirship Certificate in the standard format prescribed for the same.

8. The Miscellaneous Petition is accordingly disposed of. There shall be no order as to costs.

(ARIF S. DOCTOR, J)