

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

MISCELLANEOUS PETITION NO. 461 OF 2023

Archana Praful Sarfare & Anr. ... Petitioners

Smt. Chandrarekha Bapu Thombre ... Deceased

Mr. Nitin M. Pagare for the Petitioners.

**CORAM: MANISH PITALE, J.
DATE : 27th MARCH 2024**

P.C. :

. Heard learned counsel for the petitioners.

2. By this petition filed under the provisions of the Bombay Regulation Act VIII of 1827, the petitioners are seeking issuance of legal heirship certificate in favour of the surviving legal heirs of the deceased.

3. The deceased was the mother of the petitioner No.1 and wife of petitioner No.2. She expired on 3rd March 2019. Copy of her death certificate is annexed to the petition. It is specifically stated that the deceased ordinarily resided at Sion Visava Co-op. Hsg. Soc. Ltd., Bldg. No.20, Room No.1037, Sion Koliwada, Sardar Nagar No.01, Mumbai – 400 022. It is further stated that the deceased died intestate.

4. In paragraph 4 of the petition, the petitioners have given details of surviving legal heirs of the deceased, which include the petitioners, as also two more daughters of the deceased. It is specifically stated that the parents of the deceased pre-deceased her. The two daughters of the deceased, other than the petitioner No.1 before this Court, have given their consent affidavits. They are annexed to the petition. This Court has perused the consent affidavits.

5. Considering material placed on the record, the petition is accepted and proclamation is dispensed with.

6. The petition is allowed in terms of prayer clause (a), which reads as follows :-

“(a) That Legal Heirship Certificate there by certifying the Petitioners Mrs. Archana Praful Sarfare (Daughter), Mr. Bapu Aba Thombre (Husband), Mrs. Aparna Pradeep Pawar (Daughter) and Mrs. Suvarna Thombre Fernandes (Daughter) be recognized as the legal heirs and representative of the deceased be granted to the Petitioners;”

MANISH PITALE, J.