

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 400 OF 2023**

Sachin Harishchandra @ Harichandra Chapade ... Petitioner

Harishchandra @ Harichandra Shivram Chapade @ Chopade ... Deceased

Mrs. Sujata R. Babar for petitioner.

**CORAM : MANISH PITALE, J.
DATE : 08th FEBRUARY, 2024**

P.C. :

. Heard learned counsel for the petitioner.

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

3. The deceased was the father of the petitioner. The deceased expired on 15.02.2020. Copy of his death certificate is annexed to the petition. It is stated that at the time of his death, the deceased was residing and had a fixed place of abode at Room No.102, 1st floor, Khapari Devi Sadan, G. D. Ambedkar Marg, Kalachowki, Mumbai-400033. It is also stated that the deceased died intestate, without leaving behind any testamentary writing or Will.

4. In paragraph No.4 of the petition, the petitioner has given details of the surviving legal heirs of the deceased i.e. three sons (including the petitioner herein) and one daughter. It is specifically stated that the wife of the deceased died on 12.08.2008. Copy of her death certificate is annexed

alongwith the petition.

5. It is brought to the notice of this Court that all the other three surviving legal heirs of the deceased i.e. two brothers and one sister of the petitioner, have given their consent affidavits. This Court has perused the same.

6. It is further stated that the legal heirship certificate is required to be produced before the officers of Maharashtra Housing and Area Development Authority.

7. In view of the material placed on record, the petition is accepted and proclamation is dispensed with.

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

“(a) That Legal Heirship Certificate be issued Certifying that the Petitioner, his two Brothers and one Sister are the only Heirs and Legal Representatives of the Deceased under the provision of Bombay Regulation Act VIII of 1827.”

(MANISH PITALE, J.)

Priya Kambli