

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

MISCELLANEOUS PETITION NO. 15 OF 2024

Jharna Baldev Makhija & Ors. ... Petitioners

Vallabhdas Sugnomal Bhatia
alias Valab Sugnomal Bhatia
alias Vallabh Sugnomal Bhatia ... Deceased

Mr. Sameer R. Logade for the Petitioners.

CORAM: MANISH PITALE, J.

DATE : 22nd FEBRUARY, 2024

P.C. :

1. 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 only surviving legal heirs of the deceased.
3. The petitioners are the daughters of the deceased.
4. It is stated that the deceased expired on 7th May, 2014, and had a fixed place of abode at B-3/9, Basant Park, Chembur, Mumbai-400 071. Copy of the death certificate is annexed at Exhibit 'A' to the petition. It is stated that the deceased died intestate, without leaving behind any Will.

5. In paragraph 4 of the petition, the four petitioners being daughters of the deceased are his only surviving legal heirs, as the wife of the deceased expired on 31st August, 2017. Copy of her death certificate is also annexed at Exhibit 'C' to the petition.

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

7. In the interest of justice, the petition is allowed in terms of prayer clause (a), which reads as follows:

“a) That a Legal Heirship Certificate be issued, certifying that Jharna Baldev Makhija, Nilam Romi Kanal, Geeta Narinder Mirchandani and Dolly Ketan Kothari are the heirs and legal representatives of the deceased abovenamed under the provision of Bombay Regulation Act VIII of 1827.”

MANISH PITALE, J.