

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

VISHAL
SUBHASH
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MISCELLANEOUS PETITION (L) NO.18 OF 2024

Tushar Tukaram Doke ... Petitioner
vs.
Manik Tukaram Doke ... Deceased

Mr. Kiran Nikam, for Petitioner.

CORAM: N.J.JAMADAR, J.
DATE : SEPTEMBER 27, 2024

P.C.

1. Heard the learned Counsel for the Petitioner.
2. This petition is filed for grant of heirship certificate under Section 2 of the Bombay Regulation VIII of 1827.
3. Smt. Manik Tukaram Doke (Deceased) was the mother of the Petitioner. She passed away on 2nd July, 2006. At the time of her death, she had a fixed place of abode at Flat No. 4, F Wing, Ground Floor, Khandelwal Marg, Near Usha Nagar, Bhandup (w), Mumbai -78.
4. In the Petition it is averred that the deceased died intestate, and despite diligent search, no testamentary writing or Will has been found. The deceased left behind Tukaram Doke, her husband, the petitioner, and Trupti Bagul, a daughter. There is no other legal heir. The heirship certificate is required to lay claim over the property described in the

Schedule of Property (Exhibit A1).

5. I have perused the averments in the petition. The documents annexed to the petition lend support to the claim of the petitioner. Tukaram Doke, husband of the deceased, and Trupti, daughter of the deceased, have filed affidavits giving their consent for grant of heirship certificate. I do not find any impediment in granting heirship certificate.

Hence, the following order :

ORDER

- (i) The Petition stands allowed in terms of prayer clause (a).
- (ii) Issue of proclamation is dispensed with.
- (iii) Grant expedited.

(N.J.JAMADAR, J.)