



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION (L) NO.11665 OF 2021**

Neeta Dattu Alhat ... Petitioner

Anita Dattu Alhat ... Deceased

Mr. Jannat Yadav, for Petitioner.

CORAM: N.J.JAMADAR, J.

DATE : 18 JUNE 2024

P.C.

1. Heard the learned Counsel for the Petitioner.
2. This is a Petition for grant of heirship certificate under Section 2 of the Bombay Regulation VIII of 1827.
3. Dattu Babu Alhat was the father of the Petitioner. He passed away on 28 June 1990. Dattu had died intestate leaving behind the Petitioner and Anita. Dattu was the deceased father of the Petitioner. Anita died as spinster on 4 February 2017. She died intestate. The deceased was employed with Municipal Corporation of Greater Mumbai. The Petitioner is the only surviving heir of the deceased. The Petitioner has applied for employment on a compassionate basis. The Petitioner has been directed to furnish heirship certificate. Hence, this Petition.
4. By an order dated 11 June 2024, the Petitioner was directed to place on record copies of birth certificate of the deceased and the Petitioner.

5. Learned Counsel for the Petitioner today tendered copies of the school leaving certificate of the deceased and the birth certificate of the Petitioner. It appears that Dattu was the father of the Petitioner and the deceased. There are averments in the Petition that the deceased Anita died intestate. She had a fixed place of abode in Mumbai and was working with Municipal Corporation of Greater Mumbai. Apart from the Petitioner, there is no other legal heir of the deceased, who died intestate.

6. From the perusal of the averments in the Petition and the documents tendered for the perusal of the Court, it appears that there is no impediment to grant heirship certificate.

7. Hence, the following order :

ORDER

(i) The Petition stands allowed in terms of prayer clause (a), which reads as under :

“a. The Hon’ble may be pleased to issue/grant Heirship Certificate to applicants as per the provision of Part X of the Indian Succession Act, 1925 in respect of the debt/security/saving amount described in the schedule hereto”

(ii) Issue of proclamation is dispensed with.

(iii) Grant is expedited.

(N.J.JAMADAR, J.)