



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISC. PETITION NO.526 OF 2024**

Aditi Vikas Bhonsle ... Petitioner

Sateesh Nagesh Mallapur ... Deceased

Mr. Sanskar Marathe i/by Ms. Snehal Marathe, for Petitioner

CORAM: N.J.JAMADAR, J.

DATE : 26 NOVEMBER 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. Sateesh Nagesh Mallapur (deceased) was the father of the Petitioner. The deceased passed away on 15 September 2019. At the time of his death, the deceased had a fixed place of abode at at C/24, Yashodhan, Irla Bridge, S.V.Road, Andheri (West), Mumbai 400058.
4. The Petitioner avers that the deceased died intestate and despite diligent search, no testamentary writing or Will has been found. The deceased left behind Srilata, the widow, the Petitioner, and Shivali G. Balgi, another daughter as the surviving Class I legal heirs. The parents of the deceased predeceased him. Srilata, wife of the deceased also passed away on 29 April 2021.

5. The documents annexed to the Petition lend support to the claim of the Petitioner. It appears that the Petitioner and her sister Shivali G. Balgi appear to be the surviving legal heirs of the deceased. Shivali G. Balgi has filed an affidavit giving her consent for the grant of heirship certificate. I do not find any impediment in granting heirship certificate.
6. Hence, the following order :

ORDER

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

“(a) That the delay of 1438 days may be condone and a Legal Heirship Certificate certifying that 1) Aditi Vikas Bhonsle, the Petitioner herein, and 2) Shivali Gopalkrishna Balgi daughters of the deceased are the only heirs and Legal representatives of the deceased under the provision of Bombay Regulation Act, VIII of 1827;”

- (ii) Issue of proclamation is dispensed with.
- (iii) Grant expedited.

(N.J.JAMADAR, J.)