

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

MISC PETITION NO. 151 OF 2024

Rajan Ram Bharaut ...Petitioner
Versus
Ram Gopal Bharaut And
Kalpana Ram Bharaut (deceased) ...Respondent

Mr. Deepak Pandey for Petitioner.

CORAM : N. J. JAMADAR, J.
DATE : 24th JUNE 2024

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PC.:

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. Ram Gopal Bharaut (deceased No.1) was the father of the Petitioner. He passed away on 08th October 2021. At the time of his death, he was residing at 855/Room No.27, Bhaktiyoga Society, Sector 8, Charkop, Kandivali (W). Mumbai. Kalpana Ram Bharaut (deceased No.2) was the mother of the petitioner. She passed away on 27th March 2022. At the time of her death,

she was residing at C-20, Angarki Society Plot No.214, RSC No.32, Gorai-2, Near Nandlal Collage, Boriwali (W). Mumbai.

4. The petitioner averred that deceased Nos. 1 and 2 have passed away intestate and despite diligent search no testamentary writing or Will has been found. The petitioner claims the heirs shown in paragraph 4 of the petition, are the only surviving heirs of the deceased. The Heirship Certificate is required to lay a claim over a property which stands in the joint name of the deceased No.1 and 2 and another property which stands in the name of deceased No.2.

5. I have perused the petition and the documents annexed with it. The documents substantiate the averments in the petition. Kalpana @ Kalpanabai Ram Bharaut, the widow of Ram Gopal Bharaut, the deceased No.1, seems to have passed away after the demise of Ram Gopal Bharaut. The petitioner and his brother, Nitin Ram Bharaut, and sister, Swati Ram Bharaut @ Swati Ganesh Joshi appear to be the only surviving heirs of the deceased.

6. Nitin Ram Bharaut and Swati Ram Bharaut @ Swati Ganesh Joshi have filed affidavits giving consent for grant of

Heirship Certificate. I do not find any impediment in granting the Heirship Certificate. Hence, the following Order:-

ORDER

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

(N. J. JAMADAR, J.)