

(This order is corrected as per speaking to the minutes of the order dated 10.05.2024)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION (LODGING) NO. 10158 OF 2024**

Arun Kumar Kashyap ... Petitioner

Maharaj K. Kashyap and Snehlata Maharaj Kashyap ... Deceased

Mr. B. G. Saraf a/w. M. B. Saraf, Mr. Shailesh Dubey and Mr. Suyash Kalbhor
for petitioner.

CORAM : MANISH PITALE, J.

DATE : 15th APRIL, 2024

P.C. :

. Heard learned counsel for the petitioner. By this petition, the petitioner seeks legal heirship certificate in favour of the surviving legal heirs of the deceased. The deceased persons are the parents of the petitioner and it is stated that they are survived by the petitioner (son) and three married daughters, details of whom are given in paragraph No.4 of the petition.

2. It is stated that the deceased father expired on 04.03.2014 and the deceased mother expired on 04.02.2023. Copies of their death certificates are annexed to the petition. It is further stated that at the time of their death, the parents were permanently residing at 37-A, Chitrakoot, N S Road, 6 Presidency Society, J.V.P.D. Scheme, Vile Parle (West), Mumbai 400056. It is further stated that the deceased died intestate, without leaving behind any testamentary writing or Will.

3. The legal heirship certificate is required in the context of the properties left behind by the deceased parents. Consent affidavits of the

three daughters of the deceased are on record.

4. In view of the above, the petition is accepted and proclamation is dispensed with.

5. The petition is allowed in terms of prayer clause (a), which reads as follows:

“(a) That this Hon'ble Court be pleased to grant to the Heirship Certificate certifying that the 1. Arun Kumar Kashyap S/o Maharaj K Kashyap Being Son, 2. Seema Kapoor Dewan Dalip Rai Kapoor Being married daughter, 3. Alka Vohra W/o Ashok N Vohra Being married daughter and 4. Aartii Topiwaala W/o Hiitesh Topiiwaala Being married daughter of the deceased to be declared as the legal heirs and legal representatives of the deceased No.1 & 2 i.e Late 1. Maharaj K. Kashyap & 2. Snehlata Maharaj Kashyap. Under the provision of the Bombay Regulation Act VIII of 1827.”

(MANISH PITALE, J.)

Priya Kambli