

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

MISC. PETITION NO. 196 OF 2024

SANTOSH
SUBHASH
KULKARNI

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Shakuntala Hirappa Dodke alias ...Deceased
Shakuntala H.Dodke

Latika Hirappa Dodke ...Petitioner

Mr. Raman Kondiba Kamble, for the Petitioner.

CORAM: N. J. JAMADAR, J.
DATED: 24th JULY, 2024

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. Shakuntala Hirappa Dodke alias Shakuntala H. Dodke (the deceased) was the mother of the petitioner. The deceased passed away on 2nd June, 2020. At the time of her death, the deceased had a fixed place of abode at at Room No. 51, BDD Chawl No. 95, Near Ambedkar Bhavan, D. N. Wakrikar Marg, Worli, Mumbai-400018.
4. In the petition, it is averred that deceased died intestate and despite diligent search no testamentary writing or Will has been found. The husband of the deceased Hirappa Dnyandev

Dodke predeceased her on 9th August, 2014. The deceased left behind the petitioner and her two brothers Anant Dodke and Rohan Dodke, the particulars of whom are mentioned in the table at paragraph 4 of the petition. The heirship certificate is required for grant of pension. Copy of the letter received from Bhabha Atomic Research Centre, Mumbai, where the deceased was employed, is annexed at Exhibit-D.

5. I have perused the averments in the petition. The documents annexed to the petition lend support to the claim of the petition. The petitioner and her brothers Anant and Rohan appear to be the only surviving Class-I heirs of the deceased. Her husband had predeceased the deceased. Anant and Rohan have filed affidavit giving consent to grant heirship certificate. I do not find any impediment in granting the heirship certificate.

6. The petition stands allowed in terms of prayer clause (b), which reads as under:

(b) That a Legal Heirship Certificate be issued under the provision of Bombay Regulation Act VIII of 1827, certifying that Certifying that (1) Latika Hirappa Dodke, daughter and Petitioner abovenamed (2) Anant Hirappa Dodke, son of the deceased and (3) Rohan Hirappa Dodke, son of the deceased are the only legal heirs and legal representatives of Deceased abovenamed.

7. Issue of proclamation is dispensed with.

8. The grant of heirship certificate is expedited.

[N. J. JAMADAR, J.]