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

MISCELLANEOUS PETITION NO.202 OF 2024

Chetan Jaikumar Pandya ... Petitioner
vs.
Rooshikumar Vasudev Pandya ... Deceased

Mr. K.M. John, for Petitioner.

CORAM: N.J.JAMADAR, J.
DATE : AUGUST 20, 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. Rooshikumar Vasudev Pandya (Deceased) was the uncle of the petitioner. The deceased passed away on 13th April, 2013. At the time of his death, he had a fixed place at Akash Ganga, 6, A. B. Desai Road, Mumbai- 400 026.
4. In the petition, it is averred that the deceased died intestate, and despite diligent search, no testamentary writing or Will has been found.
5. The deceased left behind Annapurnadevi Rooshikumar Pandya, the widow, who also passed away on 13th October, 2018. The deceased passed away issueless.
6. The deceased had a brother named Jaikumar Vasudev Pandya,

the father of the petitioner. Jaikumar Pandya predeceased the deceased, on 20th June, 1999. Nalini Jaikumar Pandya, the wife of Jaikumar also, passed away on 18th July, 2016.

7. The petitioner claims to be the sole surviving legal heir of the deceased. Copies of the death certificates of the deceased Rooshikumar Vasudev Pandya, Annapurnadevi Rooshikumar Pandya, Jaikumar Vasudev Pandya and Nalini Jaikumar Pandya are annexed at Exhibits A, B, C and D, respectively. The heirship certificate is required for the purpose of formal recognition of the petitioner as the legal heir of the deceased.

8. I am satisfied that a case is made out for grant of heirship certificate and there is no impediment in granting the heirship certificate.

Hence, the following order :

ORDER

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

(N.J.JAMADAR, J.)