

MISC PETITION NO. 205 OF 2024

Sheela Jacob W/o Alex Jacob ...Petitioner
Versus
Alex Jacob S/o K C Chandu ...Deceased

Mr.Prabhu Velar i/by Mary Lambat for Petitioner.

CORAM : N. J. JAMADAR, J.
DATE : 24th JUNE 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. Alex Jacob S/o K C Chandy (deceased), was the husband of the petitioner. The deceased passed away on 29th November 2022. The Deceased, at the time of his death, had a fixed place of abode at Flat No.302, Confidence Apartments, Pali Market Road, Pali Hill, Bandra (W.), Mumbai.
4. The petitioner averred that the deceased died testate. However, the petitioner does not want to probate the Will as probate or Letters of Administration with Will is not mandatory

for Christians under Section 213 (2) of The Indian Succession Act 1925. The deceased has left behind the petitioner and two sons namely, Alexy Jacob and Tomu Jacob whose particulars are furnished in paragraph 4 of the Petition. The parents of the deceased have predeceased him. Apart from the legal heirs shown in paragraph 4 of the petition, there is no other legal heir.

5. I have perused the averments in the petition. The Heirship Certificate is required for formal recognition of all the legal heirs shown in paragraph 4 of the petition as the only surviving legal heirs of the deceased, Alexy Jacob and Tomu Jacob, the sons of the deceased, have filed affidavits giving their no objection 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.)