

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

MISCELLANEOUS PETITION NO.206 OF 2024

1 } Priyanka Homesh Chirmade
2 } Prajakta Swapnil Chaudhari ... Petitioners
vs.

1 } Nandakishor Shridhar Bhirud
@ Nandkishore Shridhar Bhirud
2 } Bharati Nandakishor Bhirud, ... Deceased

Ms. Seema Hunnurkar i/b. Seema Hunnurkar & Associates, for
Petitioners.

CORAM: N.J.JAMADAR, J.

DATE : JULY 15, 2024

P.C.

1. Heard the learned Counsel for the Petitioners.
2. This petition is filed for grant of heirship certificate under Section 2 of the Bombay Regulation VIII of 1827.
3. Nandakishor Shridhar Bhirud (Deceased) was the father of the petitioners. He passed away on 31st May, 2023. Bharati Nandkishor Bhirud (Deceased) was the mother of the petitioners. She passed away on 26th February, 2015. At the time of their death, they had a fixed place of abode at B-402, Jagat Vidya CHSL, Jagat Vidya Marg, Behind Guru Nanak Hospital, Bandra (E), Mumbai.
4. In the Petition, it is averred that both the deceased had died intestate, and despite diligent search, no testamentary writing or Will

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has been found. The petitioners are the only surviving legal heirs of the deceased. The heirship certificate is required to lay claim over the properties left behind by the deceased.

5. I have perused the averments in the petition. The documents annexed to the petition lend support to the claim of the petitioners. The death certificates of both the deceased (Exhibit A and B) are annexed to the petition. Apart from the petitioners, there does not appear any other legal heir of the deceased. The heirship certificate is required to lay claim over the properties described in Schedule of Assets (Exhibit E). I do not find any impediment in granting the heirship certificate.

Hence, the following order :

ORDER

(i) The Petition stands allowed in terms of prayer clause (a), which reads as under :

(a) This Hon'ble Court be pleased to issue a Legal Heirship Certificate to the Petitioners under the provisions of Bombay Regulation VIII of 1827 certifying that the Petitioners, are the only heirs and legal representatives of the deceased.

(ii) Issue of proclamation is dispensed with.

(iii) Grant expedited.

(N.J.JAMADAR, J.)