

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

SANTOSH
SUBHASH
KULKARNI

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Date: 2024.07.25
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MISC. PETITION NO. 213 OF 2024

Vijay Bhagwant Parulekar ...Deceased

Varsha Vijay Parulekar ...Petitioner

Ms. Dipti Raja, 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. Vijay Bhagwant Parulekar (the deceased) was the husband of the petitioner. The deceased passed away on 10th June, 2022. At the time of his death, the deceased had a fixed place of abode at Flat No.A/WI, Malad Dindoshi Sunrise CHS. Ltd, Off Film City Road, Malad (E), Mumbai.
4. In the petition, it is averred that the deceased died intestate and despite diligent search no testamentary writing or Will has been found. The deceased left behind the petitioner and two sons Vedant Vijay Parulekar and Tanay Vijay Parulekar, the particulars of whom are furnished in the

table at paragraph 4 of the petition. The parents of the deceased have predeceased. There is no other legal heir. The petitioner and her two sons are the only surviving Class-I heirs of the deceased. The heirship certificate is required to lay claim over the properties left behind by the deceased, which is described in the Schedule of Assets (Exhibit-F).

5. I have perused the averments in the petition. The documents annexed to the petition lend support to the averments of the petitioner. A joint consent affidavit is filed by the petitioner Varsha in the capacity of the guardian of the minor son Tanay, and Vedant, another son of the deceased. They have no objection to grant the heirship certificate. I do not find any impediment in granting the heirship certificate.

6. The petition stands allowed in terms of prayer clause (a).

(a) This Hon'ble Court be pleased to issue a Legal Heirship Certificate to the petitioner under the provision of Bombay Regulation VIII of 1827 certifying that (1) Varsha Vijay Parulekar (Wife) and (2) Vedant Vijay Parulekar (Son) and (3) Tanay Vijay Parulekar are the only legal heirs of the deceased i.e. Vijay Bhagwant Parulekar.

7. Issue of proclamation is dispensed with.

8. The grant of heirship certificate is expedited.

[N. J. JAMADAR, J.]