

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

MISCELLANEOUS PETITION NO.214 OF 2024

Tilotama Vasudeo Veralkar ... Petitioner
vs.

Vasudeo Raghunath Veralkar ... Deceased
@ V. Veralkar

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

CORAM: N.J.JAMADAR, J.
DATE : JULY 15, 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. Vasudeo Raghunath Veralkar (Deceased) was the father of the petitioner. He passed away on 22nd August, 2010. At the time of his death, he had a fixed place of abode at 1/80, Shri Krishna, Bhuvan Jhangir Merwanji Shreet, Mumbai.
4. In the Petition, it is averred that the deceased had died intestate, and despite diligent search, no testamentary writing or Will has been found. The deceased left behind the petitioner and her three siblings, the particulars of which are furnished at serial Nos. 2 to 4 in the table at

paragraph 4 of the petition. Surekha Vasudeo Veralkar, the wife of the deceased had predeceased him, on 21st August, 1974. The heirship certificate is required to lay claim over the properties described in Schedule of Assets and to produce the same before Maharashtra Housing and Area Development Authority.

5. I have perused the averments in the petition. Copy of the death certificate of Smt. Surekha, the wife of the deceased, indicates that the wife predeceased the deceased on 27th August, 1974. The petitioner and her siblings, the particulars of whom are furnished in the table at paragraph 4 of the petition, appear to be the only surviving legal heirs of the deceased. The heirs at serial Nos. 2 to 4 i.e. Smita, Vilas and Vrundavan Veralkar have filed affidavits giving consent for granting heirship certificate. The heirship certificate is required to lay claim over the properties standing in the name of the deceased. 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 Petitioner under the provisions of Bombay Regulation VIII of 1827 certifying that the Petitioner, along with the heirs mentioned in para no. 4 herein above are the only heirs and legal representatives of the deceased.

- (ii) Issue of proclamation is dispensed with.
- (iii) Grant expedited.

(N.J.JAMADAR, J.)