

MISC PETITION NO. 229 OF 2024

Dalbir Kaur Joginder Singh Alias
Dalbir Kaur Kartar Singh Mehta ...Petitioner
Versus
Late Arvinder Kartar Singh Mehta ...Deceased

Mrs. Sujata R. Babar for Petitioner.

CORAM : N. J. JAMADAR, J.
DATE : 26th 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. Arvinder Kartar Singh Mehta (deceased), was the sister of the petitioner. She passed away on 1st February 2022. At the time of her death, she had a fixed place of abode at Sion, Mumbai.
4. In the petition it is averred that the deceased was a spinster. Parents of the deceased have predeceased her. Copies of the Death Certificates of the father and mother of the deceased are annexed at Exhibit B and C to the petition.

5. It is further averred that the deceased had died intestate, and despite diligent search, no testamentary writing or Will has been found. Apart from the petitioner, there are two other sisters of the petitioner as mentioned in paragraph 4 of the petition. The sisters of the petitioner have filed affidavits giving consent to grant Heirship Certificate.

5. I have perused the averments in the petition. They find support in the documents annexed to the petition. Parents of the deceased appear to have predeceased her. The petitioner and other heirs mentioned in paragraph 4 appear to be the only surviving legal heirs of the deceased. Rest of the heirs have filed affidavits giving consent to grant Heirship Certificate. I do not find any impediment in granting Heirship Certificate.

6. Hence, the following order:

ORDER

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

(N. J. JAMADAR, J.)