

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

SANTOSH
SUBHASH
KULKARNI

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MISC. PETITION NO. 238 OF 2024

Bhavna Ketan Raval ...Deceased

Darshan Ketan Raval ...Petitioner

Mr. Pravin Kadam, 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. Bhavna Ketan Raval (the deceased) was the mother of the petitioner. The deceased passed away on 16th May, 2024. At the time of her death, the deceased had a fixed place of abode at C/2, 21 Mahindra Nagar, Haji Bapu Road, Malad (E), Mumbai - 400 097.
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 daughter Riddhi Suketu Thakar and husband Ketan Dahyalal Raval, the particulars of whom are furnished

in the table at paragraph 4 of the petition. The heirship certificate is required to lay claim over the property which was jointly purchased by the deceased and Ketan Raval, her husband.

5. The averments in the petition find support in the documents annexed to the petition. It appears that the deceased left behind the heirs, the particulars of whom are mentioned in the table at paragraph 4 of the petition. It does not appear that there is any other Class-I heir of the deceased. Mr. Ketan, the husband of the deceased and Riddhi Suketu Thakar, the daughter of the deceased have filed affidavit giving their consent for grant of 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), which reads as under:

(a) This Hon'ble Court be pleased to grant "Heirship Certificate" to Petitioner, under the provisions of Bombay Regulation VIII of 1872, certifying that the petitioner along with heirs mentioned in para (4) are the legal heir and representative of the deceased, in respect of the property and credits set forth in Schedule- I annexed to the Petition.

7. Issue of proclamation is dispensed with.

8. The grant of heirship certificate is expedited.

[N. J. JAMADAR, J.]