



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION (L) NO.6623 OF 2024**

Manish Danji Chauhan	...	Petitioner
versus		
Danji Virji Chawhan	...	Deceased

Mr. Prabhu Velar, for Petitioner.

CORAM: N.J.JAMADAR, J.

DATE : 11 JUNE 2024

P.C.

1. Heard the learned Counsel for the Petitioner.
2. The Petition is filed for grant of heirship certificate under Section 2 of the Bombay Regulation Act, VIII of 1827.
3. Danji Virji Chawhan (deceased) was the father of the Petitioner. He expired on 3 January 2023. The deceased had a fixed place of abode at Kurla, Mumbai.
4. It is averred in the Petition that the deceased died intestate and despite diligent search, no testamentary instrument or a Will has been found. The deceased had left behind the Petitioner, wife and two daughters, who are the only surviving Class I heirs of the deceased. It is averred in the Petition, that apart from the Petitioner, his mother and two sisters, there are no other legal heirs of the deceased. The wife and two daughters of the deceased have filed consent affidavit for grant of heirship certificate. The heirship certificate is required to claim the amounts lying in

the banks.

3. In view of the above, the Petition deserves to be allowed.

4. Hence, the following order :

ORDER

(i) The Petitioner 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 provision of Bombay Regulation VIII of 1827 certifying that follows persons i.e. (1) Manish Danji Chauhan (Son), (2) Nirmala Danji Chawhan (Wife), (3) Ranjana Rajesh Boricha (Daughter), (4) Alka Mayur Kataria (daughter) who are the only surviving legal heirs of the deceased.”

(ii) Proclamation is dispensed with.

(iii) Grant be expedited.

(N.J.JAMADAR, J.)