

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISC. PETITION NO.258 OF 2024**

Mona Grace Anthony ... Petitioner

George Manasseh Daniels ... Deceased

Mr. Neel Gala, for Petitioner.

CORAM: N.J.JAMADAR, J.

DATE : 23 AUGUST 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. George Manasseh Daniels (deceased) was the father of the Petitioner. The deceased passed away on 30 July 2014. At the time of his death. the deceased had a fixed place of abode at at 406,Vivek CHSL, Kandarpada Link road, Dahisar (West), Mumbai - 400068. The deceased had left behind a Will. However, the heirship certificate is required for laying claim over the property described in the Schedule of property at Exhibit J. The Petitioner avers that the deceased left behind Nita George Daniels - wife, Amon George Daniels - son, Aaron Vincent Daniels - son, and the Petitioner, the particulars of whom are furnished in a table at paragraph No.4 of the Petition. There is no other

legal heir. The Petitioner avers, no petition for Probate or for grant of Letters of Administration with the Will annexed thereto, has been filed.

4. I have perused the averments in the Petition. The documents annexed to the Petition lend support to the claim of the Petitioner. The deceased seems to have left behind a widow, two sons and daughter, the Petitioner herein. Nita, widow of the deceased and two sons have filed affidavits (Exhibits G, H and I) giving their consent for grant of heirship certificate. Heirship certificate is required for a particular purpose for laying claim over the property at Exhibit J. Apart from the Petitioner, the legal heirs mentioned at paragraph No.4 of the Petition appear to be the only surviving Class I legal heirs of the deceased. I, therefore, do not find any impediment in granting heirship certificate.

5. 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 provision of Bombay Regulation VIII of 1827 certifying that Nita George Daniels W/o George Manasseh Daniels (widow), Amon Gregory Daniels

S/O George Manasseh Daniels (son) and Aaron Vincent Daniels S/O George Manasseh Daniels (Son) and the Petitioner i.e. Mona Grace Anthony D/O George Manasseh Daniels (Married Daughter) are the only legal heirs of the deceased;

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

(N.J.JAMADAR, J.)