

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

MISCELLANEOUS PETITION NO.290 OF 2024

Arun Narayan Narsale ... Petitioner
vs.
Sunanda Narayan Narsale ... Deceased

Mr. Pawan Tiwari i/b. Ms. Rashmi Parab, for Petitioner.

CORAM: N.J.JAMADAR, J.
DATE : SEPTEMBER 09, 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. Sunanda Narayan Narsale (Deceased) was the mother of the Petitioner. She passed away on 19th November, 2023. At the time of her death, she had a fixed place of abode at C- 136, Tapovan Building, Senapati Bapat Marg, Lower Parel, Mumbai – 400 013.
4. The petitioner avers that the deceased died intestate, and despite diligent search, no testamentary writing or Will has been found. The deceased left behind the petitioner, two sons Chandrakant and Suryakant and two daughters Revati Anmane @ Sarita Narayan Narsale and Sunita Laxminant Bhadsale @ Meera Narayan Narsale, the particulars of whom are furnished at serial No. 2 to 5 of the table below

paragraph No. 4 of the Petition.

5. It is averred that the parents and husband of the deceased have predeceased her. Copy of the death certificate of Narayan Narsale who passed away on 1st October, 2022 is annexed to the petition. The heirship certificate is required to lay claim over the property left behind by the deceased.

6. I have perused the averments in the petition. The documents annexed to the petition lend support to the claim of the petitioner. Narayan Narsale, the husband of the deceased, seems to have predeceased her, on 1st October, 2022. The petitioner and his brothers and sisters appear to be the surviving heirs of the deceased. Chandrakant and Suryakant, the sons, and Revati and Sunita, the daughters, of the deceased, have filed affidavits giving their consent for grant of heirship certificate.

7. 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).
- (ii) Issue of proclamation is dispensed with.
- (iii) Grant expedited.

(N.J.JAMADAR, J.)