

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

MISC. PETITION NO. 315 OF 2024

Rajiv Mahadev Manghnani ...Petitioner

Dilber Mahadev Manghnani ...Deceased

Mr. Sameer Logade, for the Petitioner.

CORAM: N. J. JAMADAR, J.

DATED : 6th AUGUST, 2024

PC:-

1. Heard the learned Counsel for the petitioner.
2. This is a petition for grant of heirship certificate under Section 2 of the Bombay Regulation VIII of 1827.
3. Dilber Mahadev Manghnani (the deceased) was the mother of the petitioner. The deceased passed away on 12th January, 2011. At the time of her death, she had a fixed place of abode at 2, Ganpat Niketan, 18, Khar Danda Road, Khar, Mumbai-400052,
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 had left behind the petitioner as her sole surviving heir. Mahadev Manghnani, the husband of the deceased and the father of the petitioner passed away on 5th November, 1974. Copy of the death certificate

of Mahadev is annexed at Exhibit-C to the petition. Apart from the petitioner there is no other legal heir of the deceased.

5. I have perused the petition. The averments in the petition find support in the documents annexed to the petition. The heirship certificate is required to lay claim over the property described in paragraph 6 of the petition. The petitioner appears to be the sole surviving heir of the deceased. 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) That a Legal Heirship Certificate be issued, certifying that Rajiv Mahadev Manghnani is the heir and legal representative of the deceased abovenamed under the provision of Bombay Regulation Act VIII of 1827.”

7. Issue of proclamation is dispensed with.

8. The grant of heirship certificate is expedited.

[N. J. JAMADAR, J.]