

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

MISC PETITION NO. 333 OF 2024

Rahat Shahbazker W/o Amjad Shahbazker ...Petitioner
Versus

1. Ebrahim Mohamed Ebrahim Alias
Ebrahim Haji Mohamed Ebrahim
2. Najma Ebrahim ...Deceased

Mr. Prabhu Velar i/by Mr. Dayanand K. Shetty for Petitioner.

CORAM : N. J. JAMADAR, J.
DATE : 7th OCTOBER 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. Ebrahim Mohamed Ebrahim (the deceased No.1) and Najma Ebrahim (the deceased No.2) were the parents of the petitioner. The deceased No.1 passed away on 14th January 2020. The deceased No.2 passed away on 15th July 2021. At the time of their death, the deceased had a fixed place of abode at Flat No.42, Victoria Apartments, St. Alexious Road, Bandra (West), Mumbai.

4. In the petition it is averred that both the deceased died intestate, and despite diligent search, no testamentary writing or will has been found. The petitioner being a daughter of the deceased, is the only legal heir and next kin of the deceased. The heirship certificate is required for formal recognition as the legal heir of the deceased.

5. I have perused the averments in the petition. The documents annexed to the petition lend support to the claim of the petitioner. The petitioner appears to be the only surviving legal heir of the deceased. I do not find any impediment in granting the heirship certificate.

6. Hence, the following order:

ORDER

- (i) Petition stands allowed in terms of prayer clause (a).
- (ii) Proclamation dispensed with.
- (iii) The grant of heirship certificate is expedited.

(N. J. JAMADAR, J.)