

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

MISC. PETITION NO. 350 OF 2024

Ashish Lalu Hasija	...Petitioner
Versus	
Lalu Bhagwandas Hasija	...Deceased

Ms. Sujata Babar for Petitioner.

CORAM	:	N. J. JAMADAR, J.
DATE	:	1 st AUGUST 2024

PC.:

1. Heard the learned Counsel for the Petitioner.
2. This petition is for grant of Heirship Certificate under Section 2 of the Bombay Regulation VIII of 1827.
3. Lalu Bhagwandas Hasija (the deceased), was the father of the petitioner. The deceased passed away on 12th May 2024. At the time of his, he had a fixed place of abode at B-202, Sunrise Building, Fisheries University Road, Aram Nagar, Andheri (W), Mumbai.
4. The petitioner avers that the deceased died interstate and despite diligent search, no testamentary writing or Will has been found. The deceased has left behind the petitioner and his

brother Tarun Lalu Hasija, the particulars of whom are furnished at serial No.2 in the table at paragraph No.4 of the petition. Karishma Lalu Hasija, the wife of the deceased predeceased him on 24th December 2019. A copy of her death certificate is annexed at Exhibit-B. The heirship certificate is required to lay claim over the property described in the Schedule (Exhibit-D) to the petition.

5. I have perused the averments in the petition. The documents annexed to the petition lend support to the claim of the petitioner. The wife of the deceased had predeceased him. The petitioner and his brother Tarun Hasija appears to be the only surviving Class-I legal heirs of the deceased. Tarun Hasija, the brother of the petitioner, has filed affidavit giving consent to the grant of heirship certificate. I do not find any impediment in granting the heirship certificate. Hence, the following order:-

ORDER

- (i) Petition stands allowed in terms of prayer clause (a) which reads as under:-

“(a) That Legal Heirship Certificate be issued Certifying that the Petitioner viz. ASHISH LALU HASIJA and his Brother TARUN LALU HASIJA, are the only Heirs and Legal Representatives of the Deceased under the provision of Bombay Regulation Act VIII of 1827;”

- (ii) Proclamation dispensed with.
- (iii) Grant of heirship certificate is expedited.

(N. J. JAMADAR, J.)