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

MISCELLANEOUS PETITION NO.354 OF 2024

Vivek Madhukar Tanavde ... Petitioner
vs.
Kirti Madhukar Tanavade ... Deceased

Mr. Mohit Sampat a/w. Glojer D'Souza i/b. Mrs. Neeta Sampat, for
Petitioner.

CORAM: N.J.JAMADAR, J.
DATE : SEPTEMBER 03, 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. Kirti Madhukar Tanavade (Deceased) was the mother of the Petitioner. She passed away on 10th December, 2018. At the time of her death, she had a fixed place of abode at Bungalow No.13, Divine Bungalow Co-operative Housing Society Limited, Near Mary Immaculate Girls High School, Borivali (West), Mumbai 400 103.
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 and her husband Madhukar Tanavade as the surviving heirs. Madhukar Tanavade passed away on

2nd December, 2020. Copy of death certificate of Madhukar Tanavade is annexed at Exhibit C.

5. The heirship certificate is required for formal recognition as the legal heir of the deceased.

6. I have perused the averments in the petition. The averments in the petition are supported by the documents. The petitioner appears to be the sole surviving class-I legal heir of the deceased. 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.)