

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

MISC. PETITION (L) NO. 14111 OF 2024

Nandini Nandakishore Shelte nee Geetanjali
Sadanand Chindarkar ...Petitioner

Sadanand Bapu Chindarkar ...Deceased

Mr. Ketan Joshi, a/w Shraddha Dhamale, for the Petitioner.

**CORAM: N. J. JAMADAR, J.
DATED: 22nd AUGUST, 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. Sadanand Bapu Chindarkar (the deceased) was the father of the petitioner. The deceased passed away on 9th September, 2016. At the time of his death, the deceased had a fixed place of abode at Room No. 57/A, Bhageshwar Bhuvan, 2nd floor, Dilip Gupte Road, Mahim West, Mumbai – 400016.
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 left behind the petitioner and her sisters as the only surviving Class-I legal heirs. The

petitioner avers, apart from petitioner and her sisters, there is no other legal heir of the deceased. The heirship certificate is required to lay claim over the property left behind by 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. Jayshri Sadanand Chindarkar, the wife of the deceased, seems to have predeceased the deceased. The petitioner and her sisters Swati Subhash Pange nee Sandhya Sadanand Chindarkar, Kirti Raviraj Pednekar nee Kirti Sadanand Chindarkar and Chitra Nikhil Mahadik nee Chitra Sadanand Chindarkar appear to be the only surviving Class-I legal heirs of the deceased. Swati Subhash Pange nee Sandhya Sadanand Chindarkar, Kirti Raviraj Pednekar nee Kirti Sadanand Chindarkar and Chitra Nikhil Mahadik nee Chitra Sadanand Chindarkar have filed affidavits giving their consent for grant of heirship certificate. Hence, I do not find any impediment in granting the heirship certificate.

6. The petition stands allowed in terms of prayer clause, which reads as under:

“That a Legal Heirship Certificate be issued under the provision of Bombay Regulation Act VIII of 1827, Certifying that Nandini Nandakishore Shelte (daughter of the deceased) and all other

legal heirs in paragraph 4 are legal heirs and legal representatives of the deceased.”

7. Issue of proclamation is dispensed with.
8. The grant of heirship certificate is expedited.

[N. J. JAMADAR, J.]