



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISC. PETITION NO.453 OF 2024**

Siddhesh Shrikrishna Patankar ... Petitioner

Shrikrishna Tukaram Patankar ... Deceased

Mr. Atmaram Patade with Mr. Suraj Naik, Mr. Pranav Manjrekar, Mr. Rohit Rao, Mr. Vedant Chorge, Mr. Aditya Patil i/by Mr. Atmaram Patade, for Petitioner.

CORAM: N.J.JAMADAR, J.

DATE : 9 OCTOBER 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. Shrikrishna Tukaram Patankar (deceased) was the father of the Petitioner. The deceased passed away on 24 November 2023. At the time of his death, the deceased had a fixed place of abode at 530/D/42, Gomati Bai Niwas/Chawl, N. M. Joshi Marg, Bakri Adda, Chinchpokli, West, Mumbai, Maharashtra- 400011. 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, Shital – widow, Swati and Anushri, married daughters of the deceased, particulars of whom are furnished at Sr. Nos.1, 3 and 4 respectively, at paragraph No.4 of the Petition. The parents of the deceased have predeceased the deceased.

4. I have perused the Petition and the documents annexed to the Petition. The Petitioner, his mother and two married daughters appear to be the surviving Class I heirs of the deceased. Shital – widow, Swati and Anushri, daughters of the deceased, have filed a joint affidavit giving their consent for grant of heirship certificate. Heirship certificate is required to lay claim over the properties left behind by the deceased. I do not find any impediment in granting heirship certificate.
5. Hence, the following order :

ORDER

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

“(a) This Hon’ble Court be pleased to issue a Legal Heirship Certificate to the petitioner certifying that Mr. Siddhesh Shrikrishna Patankar (Son and the Petitioner herein), Shital Shrikrishna Patankar (Widow of the deceased), Ms. Swati Kaustubh More and Ms. Anushri Rahul Gangani (Married Daughters of the deceased) are the only legal Heirs and Legal Representatives of the deceased under the provision of Bombay Regulation Act VIII of 1827.”

- (ii) Issue of proclamation is dispensed with.
- (iii) Grant expedited.

(N.J.JAMADAR, J.)