

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

MISCELLANEOUS PETITION NO.476 OF 2024

Laxmi Suresh Kamble and Others ... Petitioners
vs.
Suresh Sakharam Kamble ... Deceased

Ms. Jyoti Khairmode a/w. Mr. Sujit Kedare for the Petitioner.

CORAM: N.J.JAMADAR, J.
DATE : OCTOBER 25, 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. Suresh Sakharam Kamble (the deceased) was the husband of petitioner No. 1 and father of petitioner Nos. 2 and 3. The deceased passed away on 18th July, 2023. At the time of his death, he had a fixed place of abode at Room No. 302, Nabi Nagar Society, Near 60 Feet Road, Dharavi, Mumbai - 400017.
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 petitioners as the surviving class I heirs. The parents of the deceased have predeceased the deceased. There is no legal heir. The heirship certificate is required for the compassionate

appointment as the petitioner was working with Lokmanya Tilak General Hospital run by Brihan Mumbai Municipal Corproation.

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 surviving class I legal heirs of the deceased. I do not find any impediment in granting 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.)