



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISC. PETITION NO.497 OF 2024**

Sanjeev Sadani ... Petitioner

Rajkumari Sadani ... Deceased

Mr. Bhavin Gada with Ms. Vaishali Sharma i/by Harakhchand and Co., for
Petitioner.

CORAM: N.J.JAMADAR, J.

DATE : 26 NOVEMBER 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. Rajkumari Sadani (deceased) was the mother of the Petitioner. The deceased passed away on 13 February 2015. At the time of her death, the deceased had a fixed place of abode at Flat Nos.804/805, Sunrise Point, L.B.S.Marg, Behind Magnet Mall, Bhandup (W), Mumbai – 400 078.
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 Sohan Lal Sadani - husband, the Petitioner – son and Vibha Mundra, married daughter. There is no other legal heir. 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 lend credence to the claim of the Petitioner. It appears that the Petitioner, his father and sister are the surviving legal heirs of the deceased. Sohan Lal and Vibha have filed affidavits giving their consent for the grant of heirship certificate. Thus, I do not find any impediment in granting heirship certificate to them.

6. Hence, the following order :

ORDER

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

“(a) that a Heirship Certificate be issued under the provisions of Bombay Regulations Act, certifying that :
(a) the Petitioner, the son of the deceased (b) Sohan Lal Sadani, the husband of the Deceased and (c) Vibha Mundra, the married daughter of the deceased, are the only heirs and legal representatives of the said deceased;”

(ii) Issue of proclamation is dispensed with.

(iii) Grant expedited.

(N.J.JAMADAR, J.)