

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

MISC. PETITION NO. 499 OF 2024

Kshitija Ganesh Bakre ...Petitioner

Taruna Ganesh Bakre ...Deceased

Mr. H. Agarwal, i/b Smit Nagda, for the Petitioner.

**CORAM: N. J. JAMADAR, J.
DATED: 8th OCTOBER, 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. Taruna Ganesh Bakre (the deceased) was the mother of the petitioner. The deceased passed away on 11th October, 2011. At the time of her death, the deceased had a fixed place of abode at Flat No.22, Ground Floor, B-Wing, Building No.5, Mahapalika Laghuvetan Karmchari Sahkari Grihnirman Sanstha Maryadit, Ekatmata Nagar, Andheri Kurla Road, Andheri East, Mumbai- 400 059.
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 as the sole surviving heir. Ganesh Bakre, the husband of the deceased, predeceased her on 13th May, 2003. Copy of death certificate of Ganesh Bakre is annexed at Exhibit-B.

5. The averments in the petition find support in the documents annexed to the petition. Ganesh Bakre, the husband of the deceased, seems to have predeceased the deceased. As the petitioner claims to be the only surviving Class-I legal heir of the deceased, I do not find any impediment in granting the heirship certificate.

6. Petition stands allowed in terms of prayer clause (b), which reads as under:

“(b) This Hon'ble Court be pleased to issue a Legal Heirship Certificate to the Petitioner under the provisions of Bombay Regulation VIII of 1872 certifying that the Petitioner viz. KSHITIJ GANESH BAKRE as mentioned above in Para No. 4 is the only heir and legal representative of the said deceased.”

7. Issue of proclamation is dispensed with.

8. The grant of heirship certificate is expedited.

[N. J. JAMADAR, J.]