

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

MISC. PETITION NO. 505 OF 2024

Ms. Chetna Jayantilal Shah ...Petitioner

Jayantilal Shivalal Shah ...Defendant

Ms. Sheetal Pandya, a/w Prathama Savji, for the Petitioner.

**CORAM: N. J. JAMADAR, J.
DATED: 11th NOVEMBER, 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. Jayantilal Shivalal Shah (the deceased) was the father of the petitioner. The deceased passed away on 4th January, 2024. At the time of his death, the deceased had a fixed place of abode at 324, Vrajesh Bhadran Nagar, Malad (West), Mumbai - 400 064.
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 three daughters, the particulars of whom are

furnished at Sr. Nos.2 to 4 in the table at paragraph 5. Vasumati Shah, the wife of the deceased predeceased him on 12th May, 2022. Copy of death certificate of Vasumati is annexed at Exhibit-B.

5. The averments in the petition find support in the documents annexed to the petition. Vasumati, the wife of the deceased, predeceased him. The petitioner and her three brothers, the particulars of whom are furnished at Sr. Nos.2 to 4 in the table at paragraph 5, appear to be the surviving Class-I legal heirs of the deceased. The heirs mentioned at Sr. No.2 to 4 in the table at paragraph 5 have filed affidavits giving their consent for grant of heirship certificate. I do not find any impediment in granting the heirship certificate.

6. The petition stands allowed in terms of prayer clause (a).

7. Issue of proclamation is dispensed with.

8. The grant of heirship certificate is expedited.

Application disposed.

[N. J. JAMADAR, J.]