

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

MISC. PETITION NO. 516 OF 2024

Jairaj Mahadeo Gawde ...Petitioner

Savita Mahadeo Gawde ...Deceased

Mr. Dhishan Kukreja, a/w Mohan Salian, for the Petitioner.

**CORAM: N. J. JAMADAR, J.
DATED: 15th 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. Savita Mahadeo Gawde (the deceased) was the mother of the petitioner. The deceased passed away on 22nd April, 2024. At the time of her death, the deceased had a fixed place of abode at 67 /69, Ideal House, Modi Street, Fort, Mumbai-400 001.
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, Mahadeo Bhimaji Gawde, the widower of the

deceased, and two daughters Miss. Krutika Mahadeo Gawde and Miss. Manali Mahdeo Gawde, the particulars of whom are furnished at Sr. Nos.1, 2 and 3 in the table at paragraph 5 of the petition. There is no other legal heir of the deceased. The heirship certificate is required to claim appointment on compassionate ground as the deceased was working in Maharashtra Housing and Area Development Authority (MHADA).

5. I have perused the averments in the petition. The averments in the petition find support in the documents annexed to the petition. The petitioner, Mahadeo; father of the petitioner, Krutika and Manali; the sisters of the petitioner, appear to be the surviving legal heirs of the deceased. Mahadeo, Krutika and Manali have filed affidavit giving their consent to grant 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.

[N. J. JAMADAR, J.]