

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

MISCELLANEOUS PETITION NO. 521 OF 2024

Sarubai Suhas Kamble & Ors ...Petitioners

Suhas Shrimant Kamble ...Deceased

Mr. Badal B. Gawade, for the Petitioners.

CORAM: N. J. JAMADAR, J.

DATED : 10 DECEMBER 2024

P.C.:

- 1.** Heard the learned Counsel for the Petitioner.
- 2.** The learned Counsel for the Petition seeks leave to amend the Petition. Leave granted. Necessary amendment be carried out within a period of one week. Re-verification dispensed with.
- 3.** This petition is filed for grant of heirship certificate under Section 2 of the Bombay Regulation VIII of 1827.
- 4.** Suhas Shrimant Kamble (deceased) was the husband of Petitioner No.1 and father of Petitioner Nos. 2 and 3 and son of Petitioner No.4. The deceased passed away on 10th February 2024. At the time of his death, the deceased had a fixed place of abode at Room No. 217, Building No.2, Shivdarshan CHS, Sariput Nagar, J V Link Road, Near Seepz Quarters, Andheri (East), Chakala MIDC, Mumbai 400 093.
- 5.** The Petitioner avers that the deceased died intestate and

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despite diligent search, no testamentary writing or Will has been found. The deceased had left behind the Petitioners as the surviving Class-I legal heirs. There is no other legal heir. Heirship certificate is required to seek appointment on compassionate ground as the deceased was working with Maharashtra Industrial Development Corporation, Mumbai.

6. The documents annexed to the Petition lend support to the claim of the Petitioners. The Petitioners appear to be the only surviving Class-I legal heirs of the deceased. Hence I do not find any impediment in granting Heirship Certificate.

7. Hence the following order:

O R D E R

- (i) The Petition stands allowed in terms of prayer clause (a).
- (ii) Proclamation dispensed with.
- (iii) Grant expedited.
- (iv) Grant be issued only after the Petitioner carries out the amendment in the Petition in terms of this order.

[N. J. JAMADAR, J.]