

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

MISC. PETITION NO. 525 OF 2024

Priyadarshini Mohan Udyawer ...Petitioner

Mohan Bhaskar Rao Udiavar alias Mohan
Bhaskarrao Udiavar alias Mohan Udiavar ...Deceased

Mr. Prabhu Velar, 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. Mohan Bhaskar Rao Udiavar alias MohanBhaskarrao Udiavar alias Mohan Udiavar (the deceased) was the father of the petitioner. The deceased passed away on 12th March, 2018. At the time of his death, the deceased had a fixed place of abode at 726, Suman Vihar, 11th Lane, Sethi Dham, Khar (West), Mumbai – 400 052.
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 legal heir. Radhika Mohan Udyawer nee Rekha Samarth Talmaki, the wife of the deceased, predeceased him on 10th February, 2008. Copy of death certificate of Radhika is annexed at Exhibit-B to the petition. There is no other legal heir of the deceased. Heirship certificate is required to lay claim over the property described in the Schedule of Assets (Exhibit-D).

5. The averments in the petition find support in the documents annexed to the petition. The petitioner appears to be the sole surviving legal heir of the deceased. Wife of the deceased predeceased him. There does not appear to be any other legal heir of the deceased. 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.]