

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

MISCELLANEOUS PETITION NO. 527 OF 2024

Charu Manjul Sambat ...Petitioner

Manjul Nagindas Sambat ...Deceased

Mr. J.K. Shah, (through V.C.) with Ms. Pooja Shah, i/b R.J.
Law, for the Petitioner.

CORAM: N. J. JAMADAR, J.

DATED : 18 DECEMBER 2024

P.C.:

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. Manjul Nagindas Sambat (deceased) was the husband of Petitioner No.1 and father of Petitioner No.2. The deceased passed away on 10th May 2022. At the time of his death, the deceased had a fixed place of abode at Flat No.501, Plot No. 472/C, Padmavati Garden, Road No. 33, Matunga (E), Mumbai 400 019.
4. The Petitioner avers that the deceased died intestate and despite diligent search, no testamentary writing or Will has been found. The deceased has left behind the Petitioners as the surviving Class-I legal heirs. Niranjana Nagindas Sambat, the

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mother of the deceased, predeceased the deceased. A copy of death certificate of Niranjana, the mother of the deceased, is annexed at Exhibit "B" to the Petition. There is no other legal heir. Heirship certificate is required to lay claim over the properties described in the Schedule (Exhibit "E") annexed to the Petition.

5. The documents annexed to the Petition lend support to the claim of the Petitioner. The Petitioners appear to be the surviving Class-I legal heirs of the deceased.

6. 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.

[N. J. JAMADAR, J.]