

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

MISCELLANEOUS PETITION NO. 560 OF 2024

Partabi Pannasingh Parmar ...Petitioner

Pannasingh Parmar Alias Panna Singh ...Deceased
Vardi Singh Parmar Alias Pannasingh V
Parmar Alias Pannasingh Partabi Parmar
Alias Pannasingh Varadaisingh Parmar

Mr. Prabhu Velar, for the Petitioner.

CORAM: N. J. JAMADAR, J.

DATED : 25 NOVEMBER 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.** Pannasingh Parmar Alias Panna Singh Vardi Singh Parmar Alias Pannasingh V Parmar Alias Pannasingh Partabi Parmar Alias Pannasingh Varadaisingh Parmar (deceased) was the husband of the Petitioner. The deceased passed away on 5th March 2024. At the time of his death, the deceased had a fixed place of abode at 50/B, 4th floor, Sant Mukta, Aarey Road, Goregaon (East), Mumbai 400 063.
- 4.** The Petitioner avers that the deceased died intestate and despite diligent search, no testamentary writing or Will has been

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found.

5. The deceased had left behind Khimi Bai Parmar, the mother, the Petitioner, Leela Pannasingh Parmar, Rekha Pannasingh Parmar, the daughters, and Arjunsingh Pannasingh Parmar, the son, particulars of whom are furnished in the table at paragraph No.4 of the Petition, as the only surviving Class-I legal heirs. Heirship certificate is required to lay claim over the properties left behind by the deceased and more particularly described in the Schedule (Exhibit "C").

6. The documents annexed to the Petition lend support to the claim of the Petitioner. The Petitioner, two daughters, a son and Khimi Bai, the mother, appear to be the only surviving Class-I legal heirs of the deceased. Khimi Bai, the mother, Leela and Rekha, the daughters, and Arjunsingh, the son, have filed a joint Affidavit giving their consent for the grant of Heirship Certificate. Hence I do not find any impediment in granting heirship certificate.

7. Hence, the following order :

ORDER

- (i) The Petition is allowed in terms of prayer clause (a).
- (ii) Issue of proclamation is dispensed with.
- (iii) Grant expedited.

[N. J. JAMADAR, J.]