

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

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MISCELLANEOUS PETITION NO.593 OF 2024

Jyoti Prakash Parab and Others ... Petitioners
And
Prakash Arjun Parab ... Deceased

Mr. Chandan Jaiswal i/b. Leagas Law Associates, for Petitioners.

CORAM: N.J.JAMADAR, J.
DATE : DECEMBER 09, 2024

P.C.

1. Heard the learned Counsel for the Petitioners.
2. This petition is filed for grant of heirship certificate under Section 2 of the Bombay Regulation VIII of 1827.
3. Prakash Arjun Parab (the deceased) was the husband of petitioner No. 1 and father of petitioner Nos. 2 and 3. The deceased passed away on 8th June, 2022. At the time of his death, he had a fixed place of abode at C/111, Vrindavan Complex C.H.S. Ltd., Om Nagar, Vasai (W), Dist. Palghar. However, the deceased left behind the properties within the limits of Mumbai.
4. The petitioners aver that the deceased died intestate, and despite diligent search, no testamentary writing or Will has been found. The deceased left behind the petitioners as the surviving heirs. There is no other legal heir.

5. The documents annexed to the petition lend support to the claim of the petitioners. The petitioners appear to be the surviving Class I legal heirs of the deceased. There does not appear any other legal heir. The heirship certificate is required to lay claim over the properties mentioned in Schedule I. I, therefore, do not find any impediment in granting heirship certificate.

Hence, the following order :

ORDER

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

(N.J.JAMADAR, J.)