

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

MISC. PETITION (L) NO. 31349 OF 2024

Bhalchandra Narayan Bhagwat ... Deceased

Meenakshi Bhagwat & Ors ... Petitioners

Mr. Abhinav Bhatkar, with Kunal Kamath, for the Petitioners.

CORAM: N.J.JAMADAR, J.
DATE : 12 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. Bhalachandra Narayan Bhagwat (deceased) was the husband of the Petitioner and the father of Petitioner Nos. 2 to 4. The deceased passed away on **9th April 2023**. At the time of his death, the deceased had a fixed place of abode at Flat No. 8, Priya CHSL, A.G. Khan Road, Worli Sea Face, Mumbai.
4. The Petitioners aver that the deceased died intestate and despite diligent search, no testamentary writing or Will has been found. The deceased has left behind the Petitioner and two sons, Anand and Aniruddha and one daughter, Aparna, particulars of whom are furnished in the table at paragraph No.5 of the Petition as surviving Class-I legal heirs. The parents of

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RAMCHANDRA
SANKPAL

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(Corrected order as per Speaking to the Minutes of Order dated 22nd November 2024)

Arun Sankpal

the deceased predeceased him. There is no other legal heir. Heirship certificate is required to lay claim over the property, particulars of which are mentioned in the share certificate, Exhibit "C" annexed to the Petition.

5. I have perused the averments in the Petition. The documents lend credence to the claim of the Petitioners. The Petitioners appear to be the surviving Class-I legal heirs of the deceased. I do not find any impediment in granting heirship certificate.

6. Hence, the following order :

ORDER

(i) The Petition stands allowed in terms of prayer clause (a), which reads as under :

“(a) That this Hon’ble Court be pleased to grant a legal heirship certificate in favour of the Petitioners in respect of the Scheduled property viz., Flat No. 8, Priya CHSL, A.G. Khan Road, Worli Sea Face, Worli, Mumbai - 400 030;

- (ii) Issue of proclamation is dispensed with.
- (iii) Grant expedited.

(N.J.JAMADAR, J.)