

HARSHADA H. SAWANT
(P.A.)

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

MISCELLANEOUS PETITION NO.803 OF 2025

Shalikram Bachanilal Jaiswal alias Salikram
Bachanilal Jaiswal alias Shaligram Bachanilal
Jaiswal alias Salik Ram Bachanilal Jaiswal alias
Salik Ram Surajdin Jaiswal alias Salikram Bajani
Jayasval

.. Deceased

Sanjay Ramlakhan Jaiswal and Anr.

.. Petitioners

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- Mr. Shivam Gupta, Advocate i/by Mr. Ajay S. Jaiswal for
Petitioners.
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CORAM : MILIND N. JADHAV, J.

DATE : NOVEMBER 07, 2025

P.C.:

- 1.** Heard Mr. Gupta, learned Advocate for Petitioners.
- 2.** Present Misc. Petition is filed by Petitioner for issuance of legal heirship certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of the properties and credits of deceased.
- 3.** The Petition is filed by the two grandsons of the deceased. The names and details of legal heirs of the deceased are stated in paragraph No.4 of the Petition. Apart from the Petitioner, rest of the legal heirs namely Shayamadevi Ramlakhan Jaiswal, Manjusha Rakesh Gupta alias Manjusha Ramlakhan Jaiswal and Shakuntala Kamlesh Jaiwal have filed their consent Affidavits. Consent Affidavits of Shayamadevi Ramlakhan Jaiswal and Manjusha Rakesh Gupta alias

Manjusha Ramlakhan Jaiswal are appended at page Nos.30 and 34 to the Petition. But consent Affidavit of Shakuntala Kamlesh Jaiwal is efiled separately. Copy of the consent Affidavit dated 20.02.2025 which is consent Affidavit efiled separately is shown to me. I have requested Mr. Gupta to place a xerox copy of the same on record for reference.

4. Purpose for filing the present Petition is stated in paragraph No.8 of the Petition. I have perused the same.

5. In view of the above, there can be no impediment in allowing the Petition. Misc. Petition is allowed and disposed of in terms of prayer clauses 'A' and 'B' which read thus:-

“A) This Hon’ble Court be pleased to condone the delay in filing present Petition.

B) This Hon’ble Court be pleased to issue a Legal Heirship Certificate to the petitioner under the provision of Bombay Regulation VIII of 1827 certifying that the petitioner, along with the heirs mentioned in Para 4 herein above are the only heirs and legal representatives of the deceased.”

6. Issuance of proclamation stands dispensed with.

7. Department shall not insist on names of legal heirs in prayer clause (B) and issue the legal heirship certificate in names of legal heirs whose names are mentioned in paragraph No.4 of the Petition as directed above within a period of 3 weeks from today positively.

8. Misc. Petition is allowed and disposed subject to removal of office objections, if any, forthwith which shall be allowed by the Department.

H. H. SAWANT

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by HARSHADA
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[MILIND N. JADHAV, J.]