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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.289 OF 2025**

Dharmagupta Tukaram Tambe ... Petitioner

Tukaram Govind Tambe ...Deceased

Mr. Manoj P. Mhatre for the Petitioner.

CORAM : Kamal Khata, J.
DATED : 13th June 2025.

P.C.:-

1. The Petitioner seeks issuance of a Legal Heirship Certificate under Section 2 of the Bombay Regulation **VIII** of 1827 in respect of one Tukaram Govind Tambe ("the deceased").
2. The deceased passed away in Mumbai on or about 18th September 2006. A copy of the death certificate is annexed to the Petition as Exhibit 'A'.
3. The deceased died intestate. His wife Jijabai Tukaram Tambe, predeceased him on 27th December 2000. It is stated that the Petitioner the other legal heirs of the deceased are

mentioned in paragraph 5 of the Petition and have filed their consent affidavits for granting Legal Heirship Certificate in the name of the Petitioner.

4. Learned Advocate Mr. Mhatre for the Petitioner submits that the averment about the legal heirs and next of kin of the deceased, in terms of Section **8(a)** of the Hindu Succession Act, 1956, is set out in paragraph No. 5 of the Petition. He further submits that the Legal Heirship Certificate is sought to declare the Petitioner as the legal heir and to facilitate transfer of the property mentioned in paragraph No.13.

5. The other legal heirs of the deceased have filed their consent Affidavits at pages 71, 74 and 77 of the Petition, wherein they have given their full and free consent for the Legal Heirship Certificate to be granted in favour of the Petitioner and released their share in the estate of the deceased.

6. In view of the aforesaid submissions and the material placed on record, the Petition is allowed. The requirement of proclamation is dispensed with. The Petitioner shall

compensate any party who is prejudiced or affected by passing of this Order.

7. Petition is made absolute in terms of prayer clause (a) which reads as follows:.

“(a) That Heirship Certificate in the form of Appendix of the Bombay Regulation VIII of 1027, be granted in the name of all the legal heirs viz. (1) Nitin Baburao Tambe, (2) Rani Vijay Tambe, (3) Sugandha Ajinkya Tambe, and (4) Dharmagupta Tukaram Tambe, as the legal heirs and representative of the said deceased.”

8. All concerned to act on an authenticated copy of this order.

(Kamal Khata, J.)

Note:- This order is modified pursuant to speaking to minute of order dated 21st August 2025, corrections are shown in bold and italics.