

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.33 OF 2025**

Shophia Anna Maureen Pereira ... Deceased

Suzette Carl Pereira & Anr. ... Petitioners

Mr. Shyamsunder Solanke for the Petitioners.

CORAM : ARIF S. DOCTOR, J.

DATE : 21ST JANUARY 2025

P.C. :

1. The Petitioners seek the grant of a Legal Heirship Certificate under the provisions of Section 2 of the Bombay Regulation VIII of 1827 in respect of one Shophia Anna Maureen Pereira ('the deceased'), who died in Mumbai on 23rd March 2021. A copy of the death certificate is annexed to the Miscellaneous Petition. It is stated that despite due and diligent search, no Will of the deceased has been found. It is therefore assumed that the deceased died intestate.

2. The deceased left behind her surviving as her only heirs and next of kin according to Indian Succession Act, 1925, the persons mentioned in the table in paragraph 4 of the Petition.

3. The reason for which the Legal Heirship Certificate is required is set out in paragraph 10 of the Miscellaneous Petition.

4. The Petitioners are the only surviving legal heirs of the deceased and thus the question of filing Consent Affidavits does not arise.

5. The Petition has been duly verified by the Registry. No other Petition for Legal Heirship Certificate, Succession Certificate, Probate or Letters of Administration with or without Will annexed has been filed. Therefore, there is no impediment in law to the grant of relief.

6. I have heard the learned Counsel appearing on behalf of the Petitioner as well as perused the said Petition. I find that the same is in order and deserves to be allowed in the interest of justice.

7. The Miscellaneous Petition is therefore allowed in terms of prayer clause(a), which reads as under :-

“a) This Hon'ble Court may be pleased to grant Legal Heirship Certificate thereby certifying that the Petitioners viz. Suzette Carl Pereira and Zianna Liz Pereira (minor through natural guardian Suzette Carl Pereira) are recognized as the legal heirs and representatives of Shophia Anna Maureen Pereira, the Deceased above named be granted;”

8. The Registry shall issue the Legal Heirship Certificate in the standard format prescribed for the same.

9. The Miscellaneous Petition is accordingly disposed of.

(ARIF S. DOCTOR, J.)