

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

MISCELLANEOUS PETITION NO.35 OF 2025

Ranchoddas Kalidas Chauhan alias Chavan ... Deceased

Bharat Ranchhoddas Chauhan ... Petitioner

Ms. Rashmi Parmar for the Petitioner.

CORAM : ARIF S. DOCTOR, J.

DATE : 04TH FEBRUARY 2025

P.C. :

1. Since the Petitioner is the only legal heir of the deceased, issuance of proclamation is dispensed with.

2. The Petitioner seeks the grant of a Legal Heirship Certificate under the provisions of Section 2 of the Bombay Regulation VIII of 1827 in respect of one Ranchoddas Kalidas Chauhan alias Chavan ('the deceased'), who died in Mumbai on 27th May 2002. 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.

3. The deceased left behind him surviving as his only heirs and next of kin according to Hindu Succession Act, 1956, the persons mentioned in the table in paragraph 4 of the Petition.

4. The reason for which the Legal Heirship Certificate is required is set out in paragraph 9 of the Miscellaneous Petition.

5. The Petitioner is the only legal heir of the deceased, hence the question of filing any consent affidavit does not arise.

6. 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.

7. 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.

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

“a) That a Legal Heirship Certificate be issued under the provision of Bombay Regulation Act VIII of 1827 Certifying that Bharat Ranchhoddas Chauhan (Son of the deceased and the Petitioner herein), is the only heir and Legal representative of the deceased.”

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

10. The Miscellaneous Petition is accordingly disposed of.

(ARIF S. DOCTOR, J.)