

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISC PETITION NO. 59 OF 2025

Anusuya Ramesh Chintal And Ors

...Petitioners

Ramesh Limbayya Chintal

...Deceased

Mr. P. B. Gole for Petitioner.

Mr. S. J. Chaurasia i/b Mr. A. K. Kharwar for Noticee.

CORAM : ARIF S. DOCTOR, J.

DATED : 27th MARCH 2025

P.C. :

1 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 Ramesh Limbayya Chintal (“the deceased”), who died at Mumbai on 5th April, 2001. 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 Hindu Succession Act, 1956, 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 7 of the Miscellaneous Petition.

4 The legal heirs mentioned at Sr. Nos.1 to 5 in table to paragraph 4, are the petitioners. In so far as legal heirs mentioned at Serial No.6A to 6E are concerned,

the learned counsel states that he does not have any objection to the grant of legal heirship certificate as the prayer clause (a) specifically mentions that the petitioners, along with the heirs mentioned in paragraph 4 of the petition are the only heirs and legal representatives of the deceased.

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 and the fact that the Learned counsel for the noticee does not oppose the grant of legal heirship certificate as prayed for, 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 Honorable Court be pleased to issue a Legal Heirship Certificate to the Petitioner under the provisions of Bombay Regulation VIII of 1827 certifying that the petitioner, along with the heirs mentioned in para no. 4 herein above are the only heirs and legal representatives of the deceased.”

8 The Registry shall issue the Legal Heirship Certificate in the standard format prescribed for the same. Issuance of proclamation is dispensed with.

9 The Miscellaneous Petition is accordingly disposed of.

(ARIF S. DOCTOR, J.)