

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**TESTAMENTARY AND INTESTATE JURISDICTION**  
**MISCELLANEOUS PETITION NO. 116 OF 2025**

Ishita Rajnarayan Pathak

...Petitioner

Anita Govindram Dobhal alias Anita  
Rajnarayan Pathak

...Deceased

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Ms. Vaishnavi Kamble for the Petitioner.  
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**CORAM : ARIF S. DOCTOR, J.**

**DATE : 18TH 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 Anita Govindram Dobhal alias Anita Rajnarayan Pathak ("the deceased"), who died at Thane on 7<sup>th</sup> November, 2022. 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 the Petitioner according to Hindu Succession Act, 1956.

3. The reason for which the Legal Heirship Certificate is required is set out in paragraph 8 of the Miscellaneous Petition.

4. The Registry has duly verified the Petition. 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.

5. Pursuant to an order dated 21<sup>st</sup> November, 2024, proclamation was issued, despite which none has appeared. Affidavit of Service of proclamation has also been placed on record.

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 be pleased to grant the Legal Heirship Certificate declaring the Petitioner, Ishita Rajnarayan Pathak, the daughter of the deceased as the only legal heir and representative of the deceased Anita Govindram Dobhal alias Anita Rajnarayan Pathak under the provisions of the Bombay Regulation Act, VIII of 1827.”*

8. The Registry shall issue the Legal Heirship Certificate in the standard format prescribed for the same, subject to all compliance of office requisitions.

9. The Miscellaneous Petition is accordingly disposed of. There shall be no order as to costs.

**(ARIF S. DOCTOR, J.)**