

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 122 OF 2025**

Devika Shaileshkumar Patel ... Petitioner

Shaileshkumar Nataverbhai Patel ... Deceased

Adv. Vaibhav Rajesh Shah for the Petitioner.

CORAM : ARIF S. DOCTOR, J.

DATE : 11TH MARCH, 2025

P.C. :

1 Not on board. Upon mentioning taken on board.

2 At the outset, before the board was called, the Associate of this court had informed all the Advocates waiting in the court seeking circulation that only those matters which were extremely urgent were to be mentioned in terms of the notices published by this court. The advocates were also informed that in the event any matter was mentioned and it was found that the same was not urgent and contrary to the notices published, then not only would circulation not be granted but also costs be imposed and the matter would be listed after 6 months.

3 Despite the above, Learned Counsel for Applicant mentioned the matter and tendered a praecipe, in which the reasons for seeking urgent circulation were set out as follows :

"I am concerned for the Petitioner above-named. Be please to place the above-mentioned Writ Petition before Hon'ble The Hon'ble Shri Justice ARIF S. DOCTOR. The above-mentioned was to be listed on 29/01/2025 and the same is not listed. The urgency in that matter is such that A Legal Heirship Certificate is required to produce before concerned National Consumer Redressal Forum at Delhi for pending Consumer case No. 1733 of 2019 for declaration of legal Heirs of deceased in order to prove the petitioner along with other heirs are the only heirs of the deceased above named. The Petitioner being widow of the deceased filing the present Petition in this Hon'ble Court for Bombay Regulation Act VIII of 1827. issuance of the Legal Heirship Certificate. Kindly list the matter."

4 It is to be noted that firstly what is stated in the praecipe does not set out any grave urgency and secondly the praecipe is not in the format published by this court on 3rd January 2025.

5 Hence list the matter in regular course subject to payment of costs of Rs.5000/- to The High Court Employees Medical Welfare Fund, account details of which are as follows:

Bank Account Details :

Account name : The High Court Employees Medical
Welfare Fund at Mumbai.

Bank Name

and Branch : Bank of India, Mumbai (Main) Branch.

Account no. : 000120110001337.

IFSC Code : BKID0000001"

(ARIF S. DOCTOR, J.)