

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

MISCELLANEOUS PETITION NO.124 OF 2025

Sumitra Govind Surve alias Sumitra G Surve
alias Sumitra Surve alias S. G. Surve ... Deceased

Gajanan Govind Surve ... Petitioner

Ms. Jyoti Badgujar i/by Lakdawala & Company for the Petitioner.

CORAM : ARIF S. DOCTOR, J.

DATE : 25TH 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 Sumitra Govind Surve alias Sumitra G Surve alias Sumitra Surve alias S. G. Surve ("the deceased"), who died at Mumbai on 24th November 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 Hindu Succession Act, 1956, the persons mentioned in the table in paragraph 4 of the Petition.

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3. The reason for which the Legal Heirship Certificate is required is set out in paragraph 6 of the Miscellaneous Petition.

4. The other legal heirs of the deceased have filed consent affidavits, which are annexed to the Petition.

5. The Petition has been duly verified by the Registry and the same is numbered. 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 clauses (a) and (b), which read as under :-

“a. That Proclamation be dispensed with

b. That a Legal Heirship Certificate be granted in favour of Petitioner along with heirs mentioned in Para 4 above certifying them as legal heirs / representative of the said

*Deceased under the Provision of Bombay Regulation Act,
VIII of 1827."*

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.)