

2. The deceased left behind him surviving as his only heirs and next of kin according to Indian Succession Act, 1925, the persons mentioned in the table in paragraph 7 of the Petition.

3. The reason for which the Legal Heirship Certificate is required is set out in paragraph 10 of the Miscellaneous Petition.

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

5. 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.

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 pleaded to issue a Legal Heirship certificate thereby certifying the Petitioner Mohammed Aslam Habibuddin Kazi alongwith other legal heirs mentioned in the petition i.e. Kamluddin Habibuddin Qazi, Qazi Iqbal Ahmed Habibuddin, Kazi Saud Aziz, Sayyed Ahmed Habibuddin Qazi, Zakia Khatun Habibuddin Kazi and Qudsia Shaik MD

Nusrathullah nee Qudsia Habibuddin Qazi as legal heirs and representatives of the said deceased (Late) (1) Khurshid Begum Habibuddin Kazi (2) Ayesha Habibuddin Kazi, (3) Bushra Khatoon Habibuddin Kazi alias Bushra Habibuddin Kazi 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.]