

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

**MISCELLANEOUS PETITION NO.412 OF 2024**

Chandrakala Pubati Shetty ... Deceased

Shobharani Rajeshkumar Singirikonda ... Petitioner

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Mr. Sandesh Kamble for the Petitioner.  
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**CORAM : ARIF S. DOCTOR, J.**

**DATE : 20TH FEBRUARY 2025**

**P.C. :**

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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 Chandrakala Pubati Shetty ('the deceased'), who died on 6<sup>th</sup> September 2023. 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 Petitioner is the daughter of the deceased and is the sole legal heir of the deceased in accordance with the Hindu Succession Act, 1956.

3. Learned Counsel appearing on behalf of the Applicant points out that since the death certificate of the deceased was not clear, this Court had on 4<sup>th</sup> September 2024 had passed the following order:

**"P.C.:-**

- 1. Heard the learned Counsel for the petitioner.*
- 2. Proclamation be issued.*
- 2(a). Let the proclamation be also published in the newspaper "Navbharat" and "Free Press Journal".*
- 3. The petitioner shall produce her birth certificate.*
- 4. Stand over to 23<sup>rd</sup> October, 2024."*

4. Today he submits that no one has come forth despite issuance of proclamation and publication of the same, as directed vide an order dated 4<sup>th</sup> September 2024.

5. The reason for which the Legal Heirship Certificate is required is set out in paragraph 7 of the Miscellaneous Petition.

6. The Petitioner is the only legal heir of the deceased, hence there is no need to file any consent affidavit.

7. 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.

8. 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.

9. The Miscellaneous Petition is therefore allowed in terms of prayer clause (a), which reads as under :-

*“a. that the legal Heirship Certificate thereby certifying the Petitioner Shobharani Rajeshkumar Singirikonda be recognized legal heir and representatives of the deceased be granted to the Petitioner.”*

10. The Registry shall issue the Legal Heirship Certificate in the standard format prescribed for the same.

11. The Miscellaneous Petition is accordingly disposed of.

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