

Amberkar

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

**MISC. PETITION NO. 440 OF 2025
WITH
INTERIM APPLICATION (L) NO. 12571 OF 2025**

Abhay Dharma Shape .. Deceased

Meghana Abhay Shape & Anr. .. Petitioners

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- Ms. Dipti Nagda, Advocate for Petitioner
- Mr. Sahil A.Pandire, Advocate for Applicant

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 10, 2025

P. C.:

1. Heard Ms. Nagda, learned Advocate for Petitioner and Mr. Pandire, learned Advocate for Applicant in Interim Application.

2. Present Misc. Petition is filed by Petitioner for issuance of Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of the properties and credits of deceased abovenamed. The names and details of legal heirs of the deceased are stated in paragraph No. 2 of the Petition. Purpose for filing the present Petition is stated in the Petition. I have perused the same.

3. Affidavit in support of Petition dated 06.08.2024 filed by Petitioner in her capacity and as mother and natural guardian of minor daughter - Aditi Abhay Shape is appended at page Nos. 57-59 of Petition.

4. In view of the above, there can be no impediment in allowing the Petition. Misc. Petition is allowed and disposed of in terms of prayer clause (a) which read thus:-

"(a) That a Legal Heirship Certificate be issued under the provision of Bombajl Regulation Act VIII of 1827, certifying that the Petitioners herein are the only Heirs and Legal Representative of the deceased abovenamed."

5. Issuance of proclamation stands dispensed with.

6. Department is directed to issue the legal heirship certificate as directed above within a period of 3 weeks from today positively.

7. Misc. Petition is allowed and disposed subject to compliance of office objections, if any, forthwith which shall be allowed by the Department. It is clarified that the 3 week period shall start from the date of removal of office objections. Interim Application filed by sister of the deceased is also disposed.

[MILIND N. JADHAV, J.]

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