

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 506 OF 2024
WITH
JUDGE'S ORDER (L) NO. 38076 OF 2024
IN
MISCELLANEOUS PETITION NO. 506 OF 2024

Ali Abdul Rehman Darvan ...Deceased

Mainuddin Ali Abdul Rehman Darvan ...Petitioner

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Mr Sujit Bugade, for the Petitioner.

CORAM: ARIF S. DOCTOR, J
DATED: 6TH FEBRUARY 2025

PC:-

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 Ali Abdul Rehman Darvan ("**the deceased**"), who died in Mumbai on 11th January 2024. 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 him the Petitioner as his only legal heir and next of kin according to Muslim Personal Law (Shariat).

3. The reason for which the Legal Heirship Certificate is required is set out in paragraph 4 of the Miscellaneous Petition.

4. 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.

5. 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.

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

*“(a) That, Heirship Certificate under section 2 Bombay Regulation Act 1827 may be granted to the Petitioner in respect of deceased's Pension and cash credits having the effect throughout State of Maharashtra set forth in the Schedule at **EXHIBIT ‘G’**.”*

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

8. The Miscellaneous Petition is accordingly disposed of.

(ARIF S. DOCTOR, J)