

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 659 OF 2024

Pravin Pillai alias Pravin Chandrashekar Pillai ...Deceased

Sudha Pravin Pillai ...Petitioner

Mr Manoj R Yadav, for the Petitioner.

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

PC:-

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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 Pravin Pillai alias Pravin Chandrashekar Pillai (**"the deceased"**), who died in Mumbai on 18th October 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 deceased left behind him surviving as his only heirs and next of kin according to Hindu Succession Act, 1956, the persons mentioned in the table in paragraph 4 of the Petition.

3. The reason for which the Legal Heirship Certificate is required is set out in paragraph 9 of the Miscellaneous Petition.

4. The other legal heirs of the deceased has/have filed Consent Affidavits, which are annexed to the Petition.

5. 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.

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 pleased to issue a Legal Heirship Certificate to the Petitioner under the provisions of Bombay Regulation VIII of 1827 certifying that the petitioner, along with the heirs mentioned in para 4 herein above are the only heirs and legal representatives of the deceased.”

8. Since all the other Legal Heirs have consented to the grant of Legal Heirship Certificate, issuance of proclamation is dispensed with.

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

10. The Miscellaneous Petition is accordingly disposed of.

(ARIF S. DOCTOR, J)