

Amberkar

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

MISC. PETITION NO. 675 OF 2025

Pravin Avinash Parte .. Deceased

Sunanda Avinash Parte .. Petitioner

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- Mr. Rohaan R. Sonawane a/w Mr. S.C. Shetye i/by Ms. Seema Hunnurkar & Associates, Advocates for Petitioner
- Mr. M.G. Gawde, Advocate for Respondent
- Mr. Milind More, Addl. GP for State of Maharashtra

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CORAM : MILIND N. JADHAV, J.

DATE : NOVEMBER 14, 2025

P. C.:

1. Heard Mr. Sonawane, learned Advocate for Petitioner and Mr. Gawde, learned Advocate for Respondent.

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. 4 of the Petition. The name of non-consenting legal heir post-marriage is not mentioned therein. The before-marriage name of Advocate Mr. Gawde's client is Ms. Monika Bhalchandra Saraf. Names of the legal heirs have been correctly mentioned in paragraph No. 8 also. Purpose for filing the present Petition is stated in the Petition. I

have perused the same. In view thereof, there is no impediment in allowing the present Petition in view of the averments made therein.

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

"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 alongwith heirs mentioned in para No. 08 herein above are the only heirs and legal representatives of the deceased"

4. Department is directed to issue Legal Heirship Certificate in the names of all legal heirs whose names are mentioned in paragraph No. 8 of the Petition along with mentioning the name of non-consenting legal heir which is stated in paragraph No. 2 above. No objection shall be taken for non-mentioning of her name in paragraph No. 8.

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.

8. Misc. Petition is allowed and disposed.

Amberkar

[MILIND N. JADHAV, J.]

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