

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISC PETITION NO.82 OF 2025

Abhay Vinodchandra Shah

...Petitioner

Vinodchandra Nathalal Shah

...Deceased

Ms Ankita Phatak for Petitioner.

CORAM : ARIF S. DOCTOR, J.

DATED : 5th MARCH 2025

P.C. :

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 Vinodchandra Nathalal Shah ("the deceased"), who died in Mumbai on 10th April 2021. 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 sole legal heir and next of kin according to Hindu Succession Act, 1956.

3 The reason for which the Legal Heirship Certificate is required is set out in paragraph 7 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 a Legal Heirship Certificate be issued under the provision of Bombay Regulation Act VIII of 1827 Certifying that, Abhay Vinodchandra Shah (Son of the Deceased and the Petitioner herein) is the only heir and Legal representative of the deceased.”

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.)