

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**TESTAMENTARY AND INTESTATE JURISDICTION**  
**MISC PETITION NO.86 OF 2025**

Sabiha Karim Shaikh

...Petitioner

Karim Sadi Shaikh Alias Karim S Shaikh

Alias Karim Shaikh

...Deceased

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Ms Aparna Wagle i/b Mr. Waquar Ahmad for Petitioner.

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**CORAM : ARIF S. DOCTOR, J.**

**DATED : 5<sup>th</sup> 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 Karim Sadi Shaikh Alias Karim S Shaikh, Alias Karim Shaikh who died at Mumbai on 12<sup>th</sup> February, 2016. 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 Mohammedan Law (Shariat) Act, 1937, 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 legal heirs of the deceased has filed consent affidavit, which is 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 (b) which reads as under :-

“ (b) this Hon'ble Court be pleased to issue a Legal Heirship Certificate to the Petitioner under the provisions of Bombay Regulation VIII of 1872 certifying that the Petitioner namely Sabiha Karim Shaikh along with Saima Karim Shaikh mentioned above in Para No.4, are the only heirs and legal representatives of the said deceased;”

8 The Registry shall issue the Legal Heirship Certificate in the standard format prescribed for the same. Issuance of proclamation is dispensed with.

9 The Miscellaneous Petition is accordingly disposed of.

**(ARIF S. DOCTOR, J.)**