

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISC PETITION NO.104 OF 2025

Robert Gregory Braganza ...Deceased

Irene Robert Braganza ..Petitioner

Mr. Mark Dritto a/w Elarine Fargose for Petitioner.

CORAM : ARIF S. DOCTOR, J.

DATED : 12th 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 Robert Gregory Braganza who died on 15th May 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 Indian Succession Act, 1925, 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 have 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 (c) which reads as under :-

“ (c) Legal Heirship Certificate certifying that the Petitioner and Aloma Braganza are the only Legal heirs of Late Robert Gregory Braganza may be issued under the provisions of the Bombay Regulation VIII of 1827;

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.)