

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

**MISCELLANEOUS PETITION NO.132 OF 2025**

Keshavlal Sukhlal Sheth

... Deceased

Rushabh Mahesh Sheth

... Petitioner

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Mr. Tushar Agrawal a/w Shobhana Waghmare i/by Mulani & Company for the  
Petitioner.

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

**DATE : 25TH MARCH 2025**

**P.C. :**

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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 Keshavlal Sukhlal Sheth ('the deceased'), who died at Mumbai on 28<sup>th</sup> December 2015. 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 11 of the Miscellaneous Petition.

4. The other legal heir of the deceased has filed consent affidavit, which is annexed to the Petition.

5. The Petition has been duly verified by the Registry and the same is numbered. 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. That the Legal Heirship Certificate may be granted to Petitioner and his mother, Bina Mahesh Seth, being the only surviving legal heirs of the deceased and they be declared as legal heirs and legal representatives of the deceased, under the provision of Bombay Regulation Act 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.)**