

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISC. PETITION NO. 148 OF 2025**

Aaditya Raaj Sharma | **Petitioner**

Rahul Prayag Raj | **Deceased**

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Mr. Sagar Sable i/b Mr. S.A. Desai and Mr. Amol Gangurde, for
Petitioner.

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CORAM : ARIF S. DOCTOR, J.

DATE : 26th 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 Rahul Prayag Raj (deceased) who died at Mumbai on 1st August, 2023. 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 Registry has duly verified the Petition. 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 the Heirship Certificate may be granted certifying that Petitioner Aaditya Raaj Sharma, Brother of the deceased and the Petitioner herein, to be declared as the legal heir and legal representative of the deceased Rahul Prayag Raaj under the provision of the Bombay Regulation Act VIII of 1827”.

7. The Registry shall issue the Legal Heirship Certificate in the standard format prescribed for the same, subject to all compliance of office requisitions.

8. The Miscellaneous Petition is accordingly disposed of. There shall be no order as to costs.

[ARIF S. DOCTOR J.]