

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISC. PETITION NO. 152 OF 2025**

Parveen Mossa Khan] **Petitioner**

Mohammed Saleem Sohail Hariri]

alias Saleem Sohail Hariri]

and Banoo Mouazzam Ghole] **Deceased**

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Ms. Jyoti Badgujar i/b Mr. Agnes Baradia, 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 Saleem Suhail Hariri alias Mohammed Saleem Suhail Hariri (deceased) who died on 26th July, 2019 and Banoo Mouazzam Ghole who died on 9th June, 2021 in Mumbai. Copies of the death certificates are annexed to the Miscellaneous Petition. It is stated that despite due and diligent search, no Wills of the deceased persons have 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 Mohammedan Law.

3. The reason for which the Legal Heirship Certificate is required is set out in paragraph 5 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 this Hon'ble Court be pleased to grant the Heirship Certificate in favour of the Petitioner also mentioned at para 3 in the form of Annexure B of 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.]