

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISC. PETITION NO. 153 OF 2025**

Nilanshu Hemant Pandya] **Petitioner**

Hemant Kantilal Pandya alias]

Hemantkumar Kantilal Pandya] **Deceased**

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Mr. D.M. Tailor, 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 Hemant Kantilal Pandya alias Hemantkumar Kantilal Pandya (deceased) who died at Mumbai on 1st December, 2018. 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 9 of the Miscellaneous Petition.
4. The other legal heir of the deceased has filed consent affidavits, which are annexed to the Petition.
5. 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.
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 (a) which reads as under :-

(a) this Hon'ble Court be pleased to issue a Legal Heirship Certificate to the Petitioner under the provisions of Bombay Regulation VIII of 1827 certifying that the petitioner abovenamed i.e. Nilanshu Hernant Pandya arid Smt. Vandana Hemant Pandya are the only heirs of the deceased i.e. Shri. Hemant Kantilal Pandya alias Hemantkumar Kantilai Pandya required to be produce before the Office of City Survey Superintendent, Pardi, alias Killa Pardi, Valsad, Gujarat State in respect of House Property under City Survey No. 1231 and 1232 situated at Pardi, alias Killa Pardi, Valsad, Gujarat State

<u>Survey No.</u>	<u>Area</u>	<u>Akar</u>
1231	120.83 sq. mtr.	H A
1232	243.89 square mtr.	A”

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

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

[ARIF S. DOCTOR J.]