

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISC. PETITION NO. 155 OF 2025**

Nathuram Thamaji Dabhade] **Petitioner**

Nirabai Thamaji Dabhade] **Deceased**

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Kunjan Cheeda i/b Ms. Dipti Nagda, 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 Nirabai Thamaji Dabhade (deceased) who died at Mumbai on 11th December, 2022. 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 8 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 a Legal Heirship Certificate be issued under the provision of Bombay Regulation Act VIII of 1827, certifying that the Petitioner herein is the only Heir and Legal Representative of the deceased abovenamed”.

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.]