

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.219 OF 2025

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DATE : 17TH APRIL 2025

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 Pinky Sundarlal Kanojiya (“the deceased”), who died in Mumbai on 26th June, 2024. 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 reason for which the Legal Heirship Certificate is required is set out in paragraph 6 of the Miscellaneous Petition.

3. The petitioner is the sole legal heir of the deceased according to the Hindu Succession Act, 1956.

4. The Petition has been duly verified by the Registry. 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) and (b) which reads as under :-

*“ (a) That Proclamation may be dispensed with
(b) That a Legal Heirship Certificate be granted in
favour of Petitioner certifying her as legal heir /
representative of the said Deceased under the
Provision of Bombay Regulation Act, VIII of 1827”.*

7. The Registry shall issue the Legal Heirship Certificate in the standard format prescribed for the same.

8. The Miscellaneous Petition is accordingly disposed of.

[ARIF S. DOCTOR, J.]