

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.229 OF 2025**

Harichand Dukhanti Gupta alias	]	
Harishchandra Dukhanti Gupta	]	Petitioner

Subhashchandra Harishchandra	]	
Gupta alias Subhashchand Gupta	]	
alias Subhash Harishchandra Gupta	]	Deceased

....

Mr. Prabhu Velar a/w Mr. Vilas Kadu, for Petitioner.

....

**CORAM : ARIF S. DOCTOR, J.
DATE : 23rd APRIL, 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 Subhashchandra Harishchandra Gupta alias Subhashchand Gupta alias Subhash Harishchandra Gupta (“the deceased”), who died in Mumbai on 6th February, 2025. 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 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 9 of the Miscellaneous Petition.

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) which reads as under :-

“A. This Hon’ble Court be pleased to issue a Legal Heirship Certificate to the petitioner under the provision of Bombay Regulation VIII of 1827 certifying that the petitioner viz. HARICHAND DUKHANTI GUPTA alias HARISHCHANDRA DUKHANTI GUPTA, father is the only surviving legal heir and Legal representative of the deceased viz. SUBHASHCHANDRA HARISHCHANDRA GUPTA alias SUBHASHCHAND GUPTA alias SUBHASH HARISHCHANDRA GUPTA”.

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.)