

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 230 OF 2025**

Jaya Suresh Pai] **Petitioner**

Vishwanath Annappa Pai]
alias Vishvanath Annappa Pai] **Deceased**

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Mr. Pranot Pawar, for Petitioner.

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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 Vishwanath Annappa Pai alias Vishvanath Annappa Pai ('the deceased'), who died in Mumbai on 12th December, 2019. 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 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 6 of the Miscellaneous Petition.

4. The other legal heirs of the deceased have filed consent affidavits, which are annexed to the Petition.

5. 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.

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 claus (a) which reads as under :-

(a) If there is any delay in Filing Petition that may be condone. That a Legal Heirship Certificate be issued under the provision of the Bombay Regulation Act VIII of 1827, certifying that (1) Jaya Suresh Pai (Grand Daughter of the deceased and the Petitioner abovenamed), (2) Varsha Vilas Garde (Grand Daughter of the deceased), (3) Amol Subhash Soman (Grand Son of the deceased) and (4) Sachin Subhash Soman (Grand Son of the deceased), are the only heirs and Legal representatives of the deceased “.

8. The Registry shall issue the Legal Heirship Certificate in the standard format prescribed for the same. Issuance of proclamation is dispensed with.

9. The Miscellaneous Petition is accordingly disposed of.

[ARIF S. DOCTOR, J.]