

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION**

MISCELLANEOUS PETITION NO.235 OF 2025

Jayant Shankar Padalkar & Anr.

... Deceased

Umesh Jayant Padalkar

... Petitioner

Ms. Kiran Yadav i/b Sandesh Kambale and M/s. Kshitija Wadtkar & Associates
for the Petitioner.

CORAM : ARIF S. DOCTOR, J.

DATE : 24TH 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 Jayant Shankar Padalkar and Kunda Jayant Padalkar ('the deceased'), who died at Mumbai on 16th August, 1995 and 19th March, 2015. 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 their surviving as their 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 7 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 the legal Heirship Certificate thereby certifying the Petitioner Umesh Jayant Padalkar and Samir Jayant Padalkar be recognized legal heir and representatives of the deceased be granted to the Petitioner”

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.)