

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

MISCELLANEOUS PETITION NO.254 OF 2025

Murti alias Murtidevi w/o Mahadev Sunnar Rajbhar ... Deceased

Dildar s/o Mahadev Sunnar Rajbhar & Ors ... Petitioners

Adv. Pratiksha Babar i/b Piyali Bhoir for the Petitioner.

CORAM : ARIF S. DOCTOR, J.

DATE : 30TH APRIL 2025

P.C. :

1. The Petitioners seek the grant of a Legal Heirship Certificate under the provisions of Section 2 of the Bombay Regulation VIII of 1827 in respect of one Murti alias Murtidevi w/o Mahadev Sunnar Rajbhar (“the deceased”), who died at Uttar Pradesh on 17th July, 2018. 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 the Petitioners 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 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 Petitioners 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 clauses (a) and (b) which read as under :-

“ a. That Legal Heirship Certificate be issued Certifying that the Petitioners are the Heirs and Legal Representatives of the Deceased under the provision of Bombay Regulation Act, VIII of 1827.

b. Proclamation may be dispensed with.”

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.)