

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

MISCELLANEOUS PETITION NO.262 OF 2025

Kalpana Mansukh Shah

... Deceased

Flora Dhaval Chheda & Ors.

... Petitioners

Adv. Leena Shah i/b Shah & Furia Associates for the Petitioners.

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 Kalpana Mansukh Shah ('the deceased'), who died at Mumbai on 4th May, 2023. 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 her the Petitioners surviving as her only heirs 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 10 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 clause (a) which reads as under :-

*“ a. That this Hon'ble Court be pleased to grant Legal Heirship Certificate in favour of (i) **Mrs. Flora Dhaval Chheda** (Petitioner No. 1 herein), (ii) **Mrs. Mansi Bhavin Shah** (Petitioner No.2herein), and (iii) **Mrs. Disha Milind Shah** (Petitioner No.3herein), and the Petitioners be declared as legal heirs and legal representatives of the deceased Smt. Kalpana Mansukh Shah, under the provisions of Bombay Regulation Act, (Act No. VIII of 1827)”*

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.)