

Sumedh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.274 OF 2025

Dattatray Tukaram Jadhav ...Deceased

Amol Dattatray Jadhav ...Petitioner

Ms Megha Jani, a/w. Vinayak Salokhe for the Petitioner.

CORAM Kamal Khata, J.

DATED: 13th June 2025.

PC:-

1. This Petition seeks the issuance of a Legal Heirship Certificate under Section 2 of the Bombay Regulation *VIII* of 1827 in respect of the following heirs of the deceased, who passed away in Mumbai on 8th November 2024:

- (1) *Smt. Usha Dattatray Jadhav* (widow),
- (2) *Sau. Sangeeta Ganesh Gole* (married daughter),
- (3) *Sau. Pooja Suhas Sawant* (married daughter), and
- (4) *Mr. Amol Dattatray Jadhav* (son).

A copy of the deceased's death certificate is annexed to the Petition as Exhibit 'A'.

2. Learned Advocate Ms. Jani for the Petitioner submits that the names of the legal heirs and next of kin, as required under Section 15(a) of the Hindu Succession Act, 1956, are stated in paragraph 4 of the Petition. She further submits that the reasons for seeking the Legal Heirship Certificate are detailed in paragraph 8 of the Petition.

3. It is brought to the attention of this Court that all other legal heirs of the deceased, namely *two married daughters and widow of the deceased*, have filed Affidavits of Consent, which this Court has perused.

4. In view of the above submissions and the material placed on record, the Petition is allowed. The requirement of proclamation is hereby dispensed with.

5. The Petition is made absolute in terms of prayer clauses (a) and (b) *altered as follows:-*

“(a) That a Legal Heirship Certificate be issued under the provision of Bombay Regulation Act VIII of 1827 that (1) Smt. Usha Dattatray Jadhav (Widow of the deceased), (2) Sau. Sangeeta Ganesh Gole (married daughter of the deceased), (3) Sau. Pooja Suhas Sawant (Married Daughter of the deceased ~~and petitioner~~) and (3) Amol dattatray Jadhav (Son of the deceased), are the only heirs and Legal representative of the deceased.”

(b) That issuance of Proclamation be dispensed with.”

6. All concerned shall act on the basis of an authenticated copy of this order.

(**Kamal Khata, J.**)

Note: This order is modified by an order dated 8th August 2025.

Corrections are shown in bold, italics and strikethrough.