sumedh

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

MISCELLANEOUS PETITION (L) NO. 300 OF 2025

Bhalchandra Bhaskar Mhatre ... Deceased

Rajshree Chandrakant Thombre
D/o. Bhalchandra Bhaskar Mhatre ... Petitioner

Mr. Ganesh Ambekar i/by Adv. Khushal Jadhavar for the Petitioner.

CORAM : Kamal Khata, J.
DATED : 20th June 2025.

P.C.:-

1. This Petition seeks the issuance of a Legal Heirship Certificate under Section 2 of the Bombay Regulation VII of 1827 in respect of the following heirs of the deceased, who passed away in Mumbai on 28th February 2016:

(1) Rajesh Bhalchandra Mhatre, died on 25th April, 2016 (son),

(2) Kunda Rajesh Mhatre, (daughter in law),

(3) Pramila Chinnu Ansari D/o. Bhalchandra Bhaskar Mhatre (married daughter),

(4) Rajashree Chandrakant Thombre D/o. Bhalchandra Bhaskar Mhatre (married daughter).

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

2. Learned Advocate Mr. Ambekar 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. He further submits that the reasons for seeking the Legal Heirship Certificate are detailed in paragraph 9 of the Petition.

3. It is brought to the attention of this Court that all other legal heirs of the deceased have filed Consent Affidavits.

4. Having heard the submissions and perused the material placed on record, the Petition is allowed.

5. The requirement of proclamation is hereby dispensed with.

6. The Petition is made absolute in terms of prayer clauses (a) and (b), which read as follows:

"a. That Legal Heirship Certificate be issued Certifying that the Petitioner and other two are the Heirs and Legal Representative of the Deceased under the provision of Bombay Regulation Act, VIII of 1827, details are mentioned in para No.4 of the Petition.

b. That the Proclamation may be dispense with"

7. All concerned shall act on an authenticated copy of this order.

(Kamal Khata, J.)