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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO.288 OF 2025**

Lancy John Rodrigues ... Petitioner

Celine Rodrigues ...Deceased

Mr. K.S. Shetty for the Petitioner.

CORAM : Kamal Khata, J.
DATED : 13th June 2025.

P.C.:-

1. This Petition seeks issuance of a Legal Heirship Certificate under Section 2 of the Bombay Regulation **VIII** of 1827 in respect of one Celine Rodrigues ("the deceased"), who passed away at Mumbai on 1st November 2014. A copy of the death certificate is annexed to the Petition as Exhibit 'A'. It is stated that the Petitioner is the sole legal heir of the deceased. The deceased died intestate. The husband of the deceased Nobert Rodrigues predeceased the deceased on 5th April 1980.

2. Learned Advocate Mr. Shetty for the Petitioner submits that the name of the legal heir and next of kin, as per **Indian Succession Act**, 1956, is set out in paragraph No. 4 of the Petition. He further submits that the reason for which the Legal Heirship Certificate is sought is set out in paragraph No. 6. It is submitted that the Petitioner is the sole legal heir of the deceased and, accordingly, there is no requirement to file any consent affidavit.

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

4. Petition is made absolute in terms of prayer clause (a) which reads as follows:-

“(a) This Hon’ble Court be pleased to issue a Legal Heirship Certificate to the Petitioner under the provision of Bombay Regulation VIII of 1827 certifying that the Petitioner viz. Lancy John Rodrigues is the only Legal Heir of the deceased above named.”

5. All concerned to act on an authenticated copy of this order.

(Kamal Khata, J.)

Note:- This order is modified pursuant to speaking to minute of order dated 21st August 2025, corrections are shown in bold and italic.