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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 302 OF 2025**

Vrushali Arun Surve ... Petitioner

Arun Shantaram Surve ... Deceased

Mr. Prabhu Velar a/w Ms. Bhakti Patil for the Petitioner.

CORAM : Kamal Khata, J.
DATED : 25th June 2025.

P.C.:-

1. The Petitioner seeks issuance of a Legal Heirship Certificate under Section 2 of the Bombay Regulation *VIII* of 1827 in respect of one Arun Shantaram Surve ("the deceased").
2. The deceased passed away in Mumbai on 10th September 1999. A copy of the death certificate is annexed to the Petition as Exhibit 'A'.
3. The deceased died intestate. The parents of the deceased have predeceased the deceased. His wife passed away on 28th September 2025, copy of the death certificate

annexed as Exhibit 'B' to the Petition. It is stated that the Petitioner is the only legal heirs of the deceased in paragraph 5 of the Petition.

4. Learned Advocate Mr. Mhatre for the Petitioner submits that the averment about the legal heirs and next of kin of the deceased, in terms of Section **8(a)** of the Hindu Succession Act, 1956, is set out in paragraph No. 5 of the Petition. He further submits that the Legal Heirship Certificate is sought to declare the Petitioner as the legal heir and to facilitate transfer of the property mentioned in schedule of assets annexed as Exhibit'D' to the Petition.

5. In view of the aforesaid submissions and the material placed on record, the Petition is allowed. The requirement of proclamation is dispensed with. The Petitioner shall compensate any party who is prejudiced or affected by passing of this Order.

6. 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 follows person i.e., (1) Vrushali Arun Surve (daughter) is the only Class I Legal Heir of

*the deceased abovenamed i.e., Arun Shantaram
Surve.”*

7. 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 italics.