

Amberkar

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

MISC. PETITION NO. 318 OF 2025

Prabhakar Maruti Sawant

.. Deceased

Gayatri Ganpat Rane nee

Jayshree Prabhakar Sawant & Anr.

.. Petitioners

.....

- Ms. Anushka Parab a/w Mr. Vaibhav Singh i/by Mr. Abhay D. Parab,
Advocates for Petitioners

.....

CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 10, 2025

P. C.:

- 1.** Heard Ms. Parab, learned Advocate for Petitioners.
- 2.** Present Misc. Petition is filed by Petitioner for issuance of Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of the properties and credits of deceased abovenamed. The names and details of legal heirs of the deceased are stated in paragraph No. 4 of the Petition. Petitioners are the only legal heirs and Legal Representatives of the deceased Purpose for filing the present Petition is stated in paragraph No. 9 of the Petition. I have perused the same.
- 3.** In view of the above, there can be no impediment in allowing the Petition. Misc. Petition is allowed and disposed of in terms of prayer clause (a) which read thus:-

"(a) That Legal Heir ship Certificate be issued Certifying that the Petitioners are the only Heirs and Legal Representative of the Deceased under the provision of Bombay Regulation Act VIII of 1827;"

4. Issuance of proclamation stands dispensed with.
5. Department is directed to issue the legal heirship certificate as directed above within a period of 3 weeks from today positively.
6. Misc. Petition is allowed and disposed subject to compliance of office objections, if any, forthwith which shall be allowed by the Department. It is clarified that the 3 week period shall start from the date of removal of office objections.
7. Ms. Parab makes a grievance that excess court fees had been paid by Petitioners inadvertently. If any excess court fees are paid by Petitioners, Department shall verify and refund the same to the Petitioners forthwith upon they providing bank details to the Department within a period of two weeks of approaching the Testamentary Department.

[MILIND N. JADHAV, J.]

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