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

MISCELLANEOUS PETITION NO.320 OF 2025

- (i) Narinder Mohan Rai ... Deceased
- (ii) Saroj Nayer W/o. Narinder Mohan Rai
- (i) Neena Gulati
- (ii) Leena Sheetal Minhas
- (iii) Anu Abhishek Mishra ... Petitioners

Mr. Sameer Logade for the Petitioners.

CORAM : Kamal Khata, J.
DATED : 27th June 2025.

P.C.:-

1. The Petitioners seeks grant of a Legal Heirship Certificate under Section 2 of the Bombay Regulation VII of 1827 in respect of (i) Narinder Mohan Rai (deceased No.1) and (ii) Saroj Nayer W/o. Narinder Mohan Rai (deceased No.2).

2. The deceased No.1 expired at Mumbai on or about 25th November 2021, copy of death certificate is annexed as Exhibit 'A' to the Petition. The deceased No.2 expired at Uttar Pradesh on or about 22nd November 2025, Copy of the death certificates is annexed as Exhibit 'C' to the Petition.

3. Both the deceased died intestate. Both deceased left behind them three married daughters as their only legal heirs and next of kin in accordance with Section 8(a) and Section 15(a) of Hindu Succession Act, 1956 as specifically set out in paragraph No.5 of the Petition.

4. Learned Advocate Mr. Logade for the Petitioners submits that the Legal Heirship Certificate is sought for transfer of two flats as specifically set out in paragraph No.9 of the Petition.

5. In view of the aforesaid submissions and the material placed on record, I find no impediment in allowing the Petition.

6. The requirement of proclamation is dispensed with.

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

“(a) That a Legal Heirship Certificate be issued, certifying that (i) Neena Gulati W/o. Tarun Gulati;

(ii) Leena Sheetal Minhas and (iii) Anu Abhishek Mishra are the heir and legal representative of both the deceased abovenamed under the provision of Bombay Regulation Act VIII of 1827;

(b) That the delay of 3 years and 136 days in taking out the aforesaid Miscellaneous Petition may pleased be condoned in the interest of Justice.”

8. The Petitioners shall compensate any party who is prejudiced or affected by passing of this Order.

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

(Kamal Khata, J.)