

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

MISCELLANEOUS PETITION NO. 321 OF 2025

Savalaram Keru Chavan ... Deceased

Shantaram Savalaram Chavan ... Petitioner

Ms. Sujata R. Babar 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 VII of 1827, in respect of one Savalaram Keru Chavan ("the deceased").
2. The deceased passed away in Satara on or about 25th August 1988. A copy of the death certificate is annexed to the Petition as Exhibit 'A'.
3. The deceased died intestate. It is stated that the Petitioner and the other legal heirs of the deceased are mentioned in paragraph No.4 of the Petition and have filed a

joint consent affidavit for granting of Legal Heirship Certificate in the name of the Petitioner.

4. Learned Advocate Ms. Babar for the Petitioner submits that the averment about the legal heirs and next of of kin of the deceased, in terms of Section 15(a) of the Hindu Succession Act, is set out in paragraph No.4 of the Petition. He further submits that the Legal Heirship Certificate is sought to produce before the concerned authorities of MHADA, Society and other competent authority .

5. The other legal heir of the deceased have filed their joint consent Affidavits at page Nos.43 to 47 of the Petition. wherein she have given her full and free consent for the Legal Heirship Certificate to be granted in favour of the Petitioner.

6. In view of the aforesaid submissions and the material placed on record, I find no impediment in condoning the delay and allowing the Petition. Further, the requisition of proclamation is dispensed with since Legal Heirship Certificate is sought for all the heirs.

7. Learned counsel for the petitioner on instructions submits that Petitioner will compensate any party who is prejudiced or affected by passing of this Order.

8. Petition is made absolute in terms of prayer clauses (a), (b) and (c) which reads as follows:

“(a)That Legal Heirship Certificate be issued Certifying that the Petitioner viz. SIANTARAM SAVALARAM CHAVAN, his two brothers viz. KANTILAL SAVLARAM CHAVAN and ASHOK SAVLARAM CHAVAN, two sisters viz. PANCIAKLA KISAN THOPATE and SATVASHILA SIANKAR RAO PATIL, Two Nephews viz. RAJKUMAR PANDURANG and SUNIL PANDURANG MANE, and two Nieces viz. USHA BHIMRAJ TATE and SUVARNA PRAMOD NIKAM are the only Heirs and Legal Representatives of the Deceased under the provision of Bombay Regulation Act VIII of 1827;

(b)Delay of approx. 33 years 8 months may be condoned.

(c) Proclamation may be dispensed with.”

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

(Kamal Khata, J.)