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

MISCELLANEOUS PETITION NO. 334 OF 2025

Colleen D'Monte alias Colleen Mary D'Monte
W/o. Alan D'Monte .. Deceased

Neil Alaric D'Monte & Anr. .. Petitioners

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- Mr. Hemant Bhatt i/b Harmeet Dassan, Advocates for Petitioner.
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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 3, 2025.

P.C.:

- 1.** Heard Mr. Bhatt, learned Advocate for Petitioner.
- 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 Colleen D'Monte alias Colleen Mary D'Monte W/o. Alan D'Monte. The names and details of legal heirs of the deceased are stated in paragraph No. 4 of the Petition. Purpose for filing the present Petition is stated in paragraph No. 9 of the Petition. I have perused the same.
- 3.** Petitioners are the legal heirs of the deceased.
- 4.** 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 clauses 'a' and 'b' which read thus:-

- “a) *That a Legal Heirship Certificate be issued under the provision of Bombay Regulation Act VIII of 1827 certifying that (1) Neil Alariac D'Monte S/o, Allan D'Monte (Son of the Deceased and the Petitioner No.1 herein) and (2) Ryan Luke D'Monte S/o. Allan D'Monte (Son of the Deceased abovenamed and the Petitioner No.2 herein), are the only heirs and Legal representatives of the deceased above named.*
- b) *That issuance of Proclamation be dispensed with.”*

- 5.** Issuance of proclamation stands dispensed with.
- 6.** Department is directed to issue the legal heirship certificate as directed above within a period of 3 weeks from today positively.
- 7.** Misc. Petition is allowed and disposed subject to compliance of office objections, if any, forthwith which shall be allowed by the Department.

[MILIND N. JADHAV, J.]

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