

Ajay

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

MISCELLANEOUS PETITION NO.401 OF 2025

Amir Hasan Aziz Ahmad Khan .. Deceased

Shayista Khan wife of Amir Hasan Khan .. Petitioner

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- Ms. Seema Hunnurkar, Advocate for Petitioner.

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CORAM : MILIND N. JADHAV, J.

DATE : SEPTEMBER 12, 2025.

P.C.:

- 1.** Heard Ms. Hunnurkar, 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 Amir Hasan Aziz Ahmad Khan. 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.7 of the Petition. I have perused the same.
- 3.** Consent affidavits dated 31.05.2025 of Ayan Amir Hasan Khan alias Ayan and Shayista Khan, being the natural guardian on behalf of two minor legal heirs i.e. Jaheen Amir Hasan Khan alias Jaheen and Ashar Amir Hasan Khan, has filed Consent Affidavit on record and appended at page No. 26 and 29 of Petition.

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 clause 'a' which read thus:-

"a. This Hon'ble Court be pleased to issue a Legal Heirship Certificate to the Petitioner under the provisions of Bombay Regulation VIII of 1827 certifying that 1) Shayista Khan wife of Amir Hasan Khan 2) Ayan Amir Hasan Khan alias Ayan 3) Jaheen Amir Hasan Khan alias Jaheen and 4) Ashar Amir Hasan Khan, are the sole heirs and legal representatives of the deceased."

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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