Ajay

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

MISCELLANEOUS PETITION NO. 442 OF 2025

Prakash Kalidas Makwana alias Prakash K. Makwane .. Deceased

Rahul Prakash Makwana .. Petitioner

.....

- Ms. Ashwini N. Sawant a/w Vivek Joshi a/w Girish Bharani, Advocates for Petitioner.

.....

CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 3, 2025.

P.C.:

1. Heard Ms. Sawant, 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 Prakash Kalidas Makwana alias Prakash K. Makwane. 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 12.03.2025 of Tulsa Prakash Makwana and Ashish Prakash Makwana, the legal heirs are filed on record and appended at page Nos. 29 and 33 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) That a Legal Heirship Certificate be issued under the provision of Bombay Regulation Act VIII of 1827, Certifying that (1) Rahul Prakash Makwana, son and Petitioner abovenamed (2) Tulsa Prakash Makwana wife of the deceased and (3) Ashish Prakash Makwana son of the deceased are the only legal heirs and legal representatives of deceased abovenamed."*

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.]

Ajay

RAVINDRA MOHAN AMBERKAR

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Date: 2025.10.07 19:58:09 +0530