

Ajay

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

MISCELLANEOUS PETITION NO. 557 OF 2025

Prabhakar Pandharinath Bandal .. Deceased

Arati Hemant Baandal .. Petitioner

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- Mr. Shrikant Shankar Dixit, Advocate for Petitioner.

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CORAM : MILIND N. JADHAV, J.

DATE : SEPTEMBER 26, 2025.

P.C.:

- 1.** Heard Mr. Dixit, 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 Prabhakar Pandharinath Bandal. 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 and 11 of the Petition. I have perused the same.
- 3.** Consent affidavits dated 08.07.2025 of Arundhati Prabhakar Bandal, Sonali Prabhakar Bandal and Vishwas Prabhakar Bandal, the legal heirs are filed on record and appended at page Nos. 68, 71 and 74 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 clauses 'a' and 'b' which read thus:-

- “a) A Legal Heirship Certificate should be issued in accordance with Section 2 of the Bombay Regulation Act VIII of 1827, affirming that the Petitioner is acknowledged as one of the legal heirs alongside with her widow mother in law ARUNDHATI PRABHAKAR BANDAL, married brother in law VISHWAS PRABHAKAR BANDAL and Sister in law SONALI PRABHAKAR BAANDAL. They act as the representatives of the deceased.*
- b) The legal heirs of the deceased have submitted consent affidavits to forgo the proclamation, as documented in Exhibit “Q” on Petition Page Nos 68 to 70, Exhibit “R” on Petition Page Nos. 71 to 73 and Exhibit “S” on Petition Page Nos. 74 to 76. Therefore, it is requested that the issuance of the proclamation be waived.”*

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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2025.09.30
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