

Ajay

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

MISCELLANEOUS PETITION NO. 562 OF 2025

Chhotelal Harbhajan Yadav .. Deceased

Pravinkumar Harishankar Yadav and Ors. .. Petitioners

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- Mr. Rohit P. Mahadik, Advocate for Petitioner.

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CORAM : MILIND N. JADHAV, J.

DATE : DECEMBER 12, 2025.

P.C.:

- 1.** Heard Mr. Mahadik, learned Advocate for Petitioner.
- 2.** In the present case Affidavit of service dated 10.12.2025 has been filed.
- 3.** There is one non-consenting legal heir namely Bimashankar Chhotelal Yadav who has not given his consent. He has been served.
- 4.** 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 Chhotelal Harbhajan Yadav. The names and details of legal heirs of the deceased are stated in paragraph Nos.5 and 5b of the Petition. Purpose for filing the present Petition is stated in paragraph No.3 of the Petition. I have perused the same.

5. Consent affidavit dated 20.10.2024 of Girjashankar Chhotelal Yadav, Umashankar Chhotelal Yadav, Ramashankar Chhotelal Yadav, the legal heirs are filed on record and appended at page No.46, 49 and 52 of Petition.

6. 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 reads thus:-

*"a' This Hon'ble Court may issue the Legal Heirship Certificate thereby certifying the Petitioner i.e. **Harishanker Chhotelal Yadav** and the legal heirs mentioned in para 5 and para 5b of the Petition as recognized legal heirs and representatives of the deceased."*

7. Issuance of proclamation stands dispensed with.

8. Department is directed to issue the legal heirship certificate as directed above within a period of 3 weeks from today positively.

9. 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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by AJAY
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