

Ajay

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

**MISCELLANEOUS PETITION NO.599 OF 2025
WITH
IN PERSON APPLICATION (L) NO.25421 OF 2025
IN
MISCELLANEOUS PETITION NO.599 OF 2025**

Jagdish Kanaiyalal Yagnik Alias Jagdish K
Yagnik Alias Jagdish Kanayalal Yagnik .. Deceased

Smita Jagdish Yagnik (Wife of the deceased) .. Petitioner

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• Mr. Prabhu Velar, Advocate for Petitioner.

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 03, 2025.

P.C.:

- 1.** Heard Mr.Velar, 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 Jagdish Kanaiyalal Yagnik Alias Jagdish K Yagnik Alias Jagdish Kanayalal Yagnik. 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.6 of the Petition. I have perused the same.

3. Consent affidavits dated 01.07.2025 and 12.07.2025 of Ami Dhaval Dave (Alias Ami Jagdish Yagnik), Pooja Jagdish Yagnik and Yash Jagdish Yagnik, the legal heirs are filed on record and appended at page Nos.22, 26 and 30 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 reads thus:-

"a' That this Hon'ble Court be pleased to issue Legal Certificate to the Petitioner under the provisions of the Bombay Regulation Act, VIII of 1827; Certifying that 1) Smita Jagdish (widow) 2) Ami Dhaval Dave (married daughter) 3) Pooja Jagdish Yagnik (daughter) and 4) Yash Jagdish Yagnik (son) are the only surviving legal heirs and legal representative of the deceased abovenamed i.e. Jagdish Kanaiyalal Yagnik alias Jagdish K Yagnik alias Jagdish Kanayalal Yagnik."

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.

8. In view of disposal of the above Misc. Petition No.599 of 2025, pending In Person Application (L) No.25421 of 2025 is accordingly disposed.

[MILIND N. JADHAV, J.]

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