

Amberkar

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

MISC. PETITION NO. 600 OF 2025

Shantaram Yeshwant Gavankar .. Deceased

Shashibhooshan Shantaram Gavankar .. Petitioner

.....

- Mr. Sanjay Gawde, Advocate for Petitioner

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CORAM : MILIND N. JADHAV, J.

DATE : SEPTEMBER 19, 2025

P. C.:

1. Heard Mr. Gawde, 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 Yeshwant Shantaram Gavankar. The names and details of legal heirs of the deceased are stated in paragraph No. 5 of the Petition. Purpose for filing the present Petition is stated in paragraph No. 10 of the Petition. I have perused the same.
3. Two consent affidavits dated 22.04.2025 of Jyotiprasad Shantaram Gavankar and Anita Ratnakar Kamath nee Anita Shantaram Gavankar, the legal heirs are filed on record and appended at page Nos. 23-28 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) which read thus:-

"(a) This Hon'ble Court be pleased to issue the Legal Heirship Certificate to the Petitioner under the provisions of Bombay regulation VIII of 1827 certifying that the petitioner and other Legal Heirs are mentioned in paragraph 5 of the petition are the only heirs and legal representatives of the deceased Shantaram Yeshwant Gavankar."

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. It is clarified that the 3 week period shall start from the date of removal of office objections.

Amberkar

[MILIND N. JADHAV, J.]

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