

Ajay

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

MISCELLANEOUS PETITION NO.612 OF 2025

Sharad Gordhandas Kapadia .. Deceased

Deepa Sharad Kapadia .. Petitioner

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- Mr. Mohit A. Sampat i/by Mrs. Neeta A. Sampat, Advocates for Petitioner.

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CORAM : MILIND N. JADHAV, J.

DATE : SEPTEMBER 19, 2025.

P.C.:

- 1.** Heard Mr. Sampat, 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 Sharad Gordhandas Kapadia. 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 Nos.11 and 12 of the Petition. I have perused the same.
- 3.** Individual consent affidavit both dated 30.07.2025 of Jayati Dilip Sargam nee Jayati Sharad Kapadia through her Constituted Attorney Aditi Sharad Kapadia and Aditi Sharad Kapadia the legal heirs are filed on record and appended at page Nos.50 and 94 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' 'b' and 'c' which read thus:-

"a' That a Legal Heirship Certificate be issued under section 2 of the Bombay Regulation VIII of 1827 to the Petitioner, thereby certifying that the said (1) Deepa Sharad Kapadia, (2) Jayati Dilip Sargam nee Jayati Sharad Kapadia and (3) Aditi Sharad Kapadia, are the only legal heirs and next-of-kin of the said deceased as per the provisions of the Hindu Succession Act, 1956;

b) To produce the same before the Competent Authorities and/or the Society for the transfer of the property and credits, as described in the Schedule - I annexed to the Petition, to the names of the legal heirs and next-of-kin of the said deceased;

c) The issuance of Proclamation be dispensed with;"

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

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2025.09.22
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