

Amberkar

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

MISC. PETITION NO. 709 OF 2025

Ibrahim Abdul Aziz Maqba alias
Mohammed Ibrahim Abdul Aziz Maqba .. Deceased

1. Ismat Ibrahim Maqba
2. Insha Ibrahim Maqba
3. Mohammed Adeel Ibrahim Maqba
4. Mohammed Aamir Ibrahim Maqba .. Petitioners

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- Mr. Zaid S. Ansari, Advocate for Petitioners

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CORAM : MILIND N. JADHAV, J.

DATE : SEPTEMBER 26, 2025

P. C.:

1. Not on board. Mentioned by way of filing a praecipe dated 26.09.2025.
2. Heard Mr. Ansari, learned Advocate for Petitioners.
3. Present Misc. Petition is filed by Petitioners for issuance of Legal Heirship Certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of the properties and credits of deceased abovenamed. 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 the Petition. I have perused the same.
4. Petitioners are the only legal heirs of the deceased.

5. 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) The Hon'ble Court be pleased to issue a Legal Heirship Certificate to the Petitioners under the provision of Bombay Regulation VIII of 1827 certifying that the Petitioners are the only legal heirs and legal representatives of the deceased, as mentioned in paragraph No. 4 of the Petition.

(b) That issuance of Proclamation be dispensed with."

6. Issuance of proclamation stands dispensed with.

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

8. 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.

[MILIND N. JADHAV, J.]

Amberkar

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2025.09.26
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