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

MISCELLANEOUS PETITION NO. 715 OF 2025

Anthony Alvares .. Deceased

Thomas Joseph Alvares .. Petitioner

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• Ms. Neha Umesh Mishra, Advocate for Petitioner.

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 03, 2025.

P.C.:

- 1.** Heard Ms. Mishra, 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 Anthony Alvares. 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.9 of the Petition. I have perused the same.
- 3.** Joint consent affidavit dated 24.02.2025 of Philomena Pereira and Rosemary Margaret Couto the legal heirs are filed on record and appended at page No.31 of Petition. Other legal heirs of the deceased have predeceased the Petitioner.

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' and 'b' which read thus:-

"a' This Hon'ble Court be pleased to issue a legal Heirship Certificate in favour of the petitioner Thomas Alvares, Philomena Pereira and Rosemary Margaret Couto under provisions of Bombay Regulation VIII of 1827 certifying that the petitioner, herein above is the only heir and legal representative of the deceased;

b This Hon'ble Court be pleased to condone the delay for filing the petition;"

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.]

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