

Ajay

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

MISC. PETITION NO. 826 OF 2025

Atul Hari Mohite .. Deceased

Ashwini Atul Mohite .. Petitioner

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- Ms. Jyoti Badgujar, Advocate for Petitioner.
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CORAM : MILIND N. JADHAV, J.

DATE : DECEMBER 12, 2025.

P.C.:

1. Heard Ms. Badgujar, learned Advocate for Petitioner.
2. Considering that directions contained in paragraph No.8 of the order dated 07.11.2025 have been fully complied with and appropriate Affidavit of service is filed and proclamation has also been issued, I have taken up the present Petition for hearing and disposal.
3. 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 Atul Hari Mohite. It is filed by his wife. The only other legal heir is his mother. Share of the mother is not denied by Petitioner. Grant is sought in favour of Petitioner and the mother of deceased whose names are stated in paragraph No.4 of the Petition. Affidavit of service dated 14th November 2025 has been placed on record.

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. That a Legal Heirship Certificate be granted in favour of Petitioner along with heirs mentioned in Para 4 above certifying them as legal heirs / representative of the said Deceased under the Provision of Bombay Regulation Act, VIII of 1827.

b. That Proclamation may 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.]

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by AJAY
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