

HARSHADA H. SAWANT
(P.A.)

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

MISCELLANEOUS PETITION NO.993 OF 2025

Badri Prasad alias Badri Prasad Jagarnath Prasad .. Deceased

Sanjay Kumar S/o Badri Prasad .. Petitioner

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- Ms. Pratiksha Babar, Advocate i/by Mr. Ravindra Babar and Ms. Sujata Babar for Petitioner.
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CORAM : MILIND N. JADHAV, J.

DATE : DECEMBER 23, 2025

P.C.:

1. Not on Board. Mentioned by way of filing praecipe dated 23.12.2025. Perused the praecipe.

2. Heard Ms. Babar, learned Advocate for Petitioner.

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 Badri Prasad alias Badri Prasad Jagarnath Prasad. 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 No.9 of the Petition. I have perused the same.

4. The deceased expired on 17.06.2025 and copy of his death certificate is appended at Exhibit-A, page No.20 to the Petition. The wife of the deceased namely Meera Devi expired on 09.10.2018 and

copy of her death certificate is appended at Exhibit-B, page No.22 to the Petition. Consent affidavits dated 22.09.2025 and 30.10.2025 of Pushpa Lata W/o. Harinder Prasad and Kusumlata Singh W/o Shankar Lal Singh (married daughters), the other legal heirs are filed on record and appended at page No.29 and 32 of Petition.

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) That Legal Heirship Certificate be issued Certifying that the Petitioner viz. **SANJAY KUMAR S/O BADRI PRASAD** and his Two Sisters viz. **PUSHPA LATA W/O HARINDER PRASAD and KUSUMLATA SINGH W/O SHANKAR LAL SINGH** are the only Heirs and Legal Representatives of the Deceased under the provision of Bombay Regulation Act VIII of 1827;*

(b) Proclamation may 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.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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