

HARSHADA H. SAWANT
(P.A.)

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

MISCELLANEOUS PETITION NO.998 OF 2025

Shaila Vishwanath Lavekar

.. Deceased

Vikas Vishwanath Lavekar

.. Petitioner

.....

- Ms. Pratiksha Babar, Advocate i/by Mr. Ravindra Babar and Ms. Sujata Babar for Petitioner.

.....

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 Shaila Vishwanath Lavekar. 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 21.02.2003 and copy of her death certificate is appended at Exhibit-A, page No.21 to the Petition. The husband of the deceased namely Vishwanath Dattatraya Lavekar

predeceased the deceased on 09.02.1975 and her copy of death certificate is appended at Exhibit-B, page No.25. Joint Consent affidavit dated 14.11.2025 of Uday Vishwanath Lavekar (son), Urmila Shivanand Gavankar; Ratna Sadanand Acharekar and Sangeeta Shirish Acharekar (married daughters), the other legal heirs is filed on record and appended at page No.35 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', 'b' and 'c' which read thus:-

*“(a) That Legal Heirship Certificate be issued Certifying that the Petitioner viz. **VIKAS VISHWANATH LAVEKAR**, his Brother viz. **UDAY VISHWANATH LAVEKAR**, and his three married sisters viz. **URMILA SHIVANAND GAVANKAR**, **RATNA SADANAND ACHAREKAR** AND **SANGEETA SHIRISH ACHAREKAR** are the only Heirs and Legal Representatives of the Deceased under the provision of Bombay Regulation Act VIII of 1827;*

(b) Delay of approx. 19 years 9 Months may be condoned;

(c) 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.]