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

MISCELLANEOUS PETITION NO.1190 OF 2026

Pradip Krishna Lad ....Deceased

(1) Sugandha Madan Tamse

(2) Rahul Pradip Lad ….Petitioners

Mr. Syed Ahmed for the Petitioners.

CORAM : GAUTAM A. ANKHAD, J.

DATE : 22nd OCTOBER, 2026.

P.C. :

1. This Petition is filed seeking Legal Heirship Certificate under Section 2 of Bombay Regulation (VIII) of 1827 in respect of the Deceased – Pradip Krishna Lad who at the time of his death was residing at 8/16, Pruthavi Darshan CHSL, SVP Nagar, Andheri (West), Mumbai – 400 053. The Deceased died intestate on 23rd August, 2020 and a copy of the death certificate is annexed at Exhibit ‘A’ to the Petition.

2. Petitioner No.1 is the widow and Petitioner No.2 is the only son of the Deceased. At paragraph no.4, the Petitioners have furnished details

of the only surviving legal heirs and next-of-kin of the Deceased as follows :

Sr. No.	*Name of the next-of-kin*	*Relation with the deceased*	*Address*
1.	Sugandha Madan Tamse	Widow of the deceased	8/16, Pruthavi Darshan CHSL, SVP Nagar, Andheri (w), Mumbai - 400 053
2.	Rahul Pradip Lad	Only son of the deceased	8/16, Pruthavi Darshan CHSL, SVP Nagar, Andheri (w), Mumbai - 400 053

3. It is further stated that the parents of the Deceased have predeceased the Deceased and there are no other heirs and next-of-kin of the Deceased. It is in this background that the Petitioners seek the Heirship Certificate.

4. The reasons for filing this Petition are stated at paragraph no.7 of the Petition. It is also stated that the Petitioners or the legal heirs have not filed any other Petition for Heirship Certificate, Succession Certificate, Probate or Letters of Administration and there is no impediment to the grant of the reliefs in this Petition.

5. As far as the delay is concerned, the same is condoned in the light of the judgment of this Court in ***Ganpati Vinayak Achwal*** [1] wherein this Court has held that the right to apply is a continuous right which is capable of being exercised at any time after the death of the Deceased, as long as the right to do so exists.

6. In view of the statements/undertakings contained in the Petition, which are accepted, **Miscellaneous Petition No.1190 of 2026 is allowed** in terms of prayer clauses (a) and (b), which read as under :

> *(a) That this Hon'ble Court be pleased to grant the Legal Heir certificate certifying that Petitioners (i) SUGANDHA MADAN TAMSE & (ii) RAHUL PRADIP LAD are the heirs and Legal Representatives of the Deceased PRADIP KRISHNA LAD.*
>
> *(b) That issuance of proclamation may please be dispensed with.*

7. The Department is directed to issue the Legal Heirship Certificate within a period of six weeks from today.

[GAUTAM A. ANKHAD, J.]

1 2014 SCC OnLine Bom 1193