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

MISCELLANEOUS PETITION NO.1186 OF 2026

Nalini Bapu Bhalerao alias
Nalini Bapurao Bhalerao ....Deceased

(1) Sunanda Bapurao Bhalerao

(2) Shreyas Chandrakant Bhalerao

(3) Bhushan Chandrakant Bhalerao ….Petitioners

Ms. Saniya Khan i/b. Ms. Sharvari Nagvekar 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 – Nalini Bapu Bhalerao alias Nalini Bapurao Bhalerao who at the time of her death was residing at K-6, 115, Swatimitra Co-operative Housing Society Limited, 7 Gulmohar Cross Road, JVPD Scheme, Andheri (East), Mumbai - 400 049. The Deceased died intestate on 10th June, 2021 and a copy of the death certificate is annexed at Exhibit ‘A’ to the Petition.

2. Petitioner No.1 is the unmarried sister and Petitioner Nos.2 and 3 are the nephews 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 and address of the legal heirs of the deceased*	*Age*	*Relation with the deceased*
1.	Sunanda Bapurao Bhalerao residing at K-6/115, Swatimitra CHSL, A-Wing, Gulmohar Cross Road No.7, Near Ecole Mondiale, JVPD Scheme, Juhu, Andheri (East), Mumbai – 400 049, Maharashtra. (herein Petitioner No.1)	81 yrs.	Unmarried Sister
2.	Shreyas Chandrakant Bhalerao residing at K-6/115, Swatimitra CHSL, A-Wing, Gulmohar Cross Road No.7, Near Ecole Mondiale, JVPD Scheme, Juhu, Andheri (East), Mumbai – 400 049, Maharashtra. (herein Petitioner No.2)	48 yrs.	Nephew (Son of Deceased Brother of Deceased)
3.	Bhushan Chandrakant Bhalerao residing at Row House No.F/3, Opp. Sawant Garage, Bijlinagar, Chinchwadgaon, Pune - 411 033, Maharashtra. (herein Petitioner No.3)	44 yrs.	Nephew (Son of Deceased Brother of Deceased)

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.6 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.1186 of 2026 is allowed** in terms of prayer clause (a), which reads as under :

> *(a) This Hon'ble Court be pleased to issue a Legal Heirship Certificate to the petitioners under the*

1 2014 SCC OnLine Bom 1193

provision of Bombay Regulation VII of 1827 certifying that follows persons i.e. (1) Sunanda Bapurao Bhalerao (Sister) (2) Shreyas Chandrakant Bhalerao (Nephew) and (3) Bhushan Chandrakant Bhalerao (Nephew) are only Legal Heirs of the deceased abovenamed i.e. Nalini Bapu Bhalerao alias Nalini Bapurao Bhalerao.

7. Issue of Proclamation is dispensed with.

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

[GAUTAM A. ANKHAD, J.]