

HARSHADA H. SAWANT  
(P.A.)

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

**MISCELLANEOUS PETITION NO.106 OF 2026**

Nirupa Raichand Jhaveri .. Deceased

Vincy A. Vakil and Ors. .. Petitioners

- .....  
• Mr. Prathmesh Seth a/w. Ms. Trupti Gosavi for Petitioners.

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**CORAM : MILIND N. JADHAV, J.**

**DATE : APRIL 10, 2026**

**P.C.:**

- 1.** Mentioned out of turn.
- 2.** Heard Mr. Seth, learned Advocate for Petitioners.
- 3.** Petition is filed for issuance of Grant under Section 2 of of Bombay Regulation VIII of 1827 for issuance of Legal Heirship Certificate in respect of deceased Nirupa Raichand Jhaveri who expired on 17.10.2024.
- 4.** There are three legal heirs. Two legal heirs are Petitioners before me. The third legal heir which is the non-consenting legal heir is the real sister of the deceased. Mr. Seth in his usual fairness informs the Court that she also has a share in the property and credits of the deceased. In that view of the matter, her name shall be impleaded in the legal heirship that shall be granted by the Department. Affidavit dated 20.03.2026 has been filed by Mr. Seth consenting inclusion of

the name of non-consenting legal heir as one of the legal heir of the deceased.

**5.** The legal heirship certificate which shall be granted by this Court to the Petitioners will have name of all three legal heirs.

**6.** Needless to state that legal heirship certificate will not be used by Petitioners to the detriment of the third legal heir namely the real sister in so far as dealing with the properties and credits of the deceased are concerned. If that be so, her share shall be accordingly justified in accordance with law. In view of the above, Petitioners are directed to amend the Petition and implead and include the name of the non-consenting legal in the prayer clause of the Petition. Necessary amendment is permitted to be carried out online and offline within a period of one week from today. Reverification stands dispensed with for the purpose of carrying out both the amendments.

**7.** Department shall allow the same. Once that is done, Department shall issue the Certificate in accordance with the amended prayer clause in the names of all three legal heirs in accordance with law within a period of two weeks from date of carrying out amendment.

**8.** Miscellaneous Petition is allowed and disposed.

H. H. SAWANT

[ MILIND N. JADHAV, J. ]

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