

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

MISC. PETITION NO. 191 OF 2026

Kunal Shankar Bodke .. Petitioner

Yallubai Rama Bodke .. Deceased

Mr. Kailash Dubey for Petitioner.

CORAM : FARHAN P. DUBASH, J.

DATE : 12th JUNE 2026

P.C.:

1. Heard Mr. Kailash Dubey, learned Counsel for the Petitioner.
2. By this petition filed under the provisions of Bombay Regulation VIII of 1827, the Petitioner seeks issuance of legal heirship certificate in favour of the surviving legal heirs of the deceased.
3. The deceased was the grandmother of the Petitioner, who expired on 22nd January 2025. A copy of her death certificate is annexed to the petition. It is stated that at the time of her death, the deceased was residing and had a fixed place of abode at Amboli, Jay Bhavani Mata Road, Makadwadi, Andheri (West), Mumbai 400 058. It is also stated that the deceased died intestate without leaving behind any

testamentary writing or Will.

4. The husband of the deceased predeceased her. He expired on 9th November 2006. A copy of his death certificate is annexed to the petition.
5. In paragraph nos. 4 and 5, the Petitioner has given details of the surviving legal heirs of the deceased viz., one son and one grandson, (the Petitioner) herein. The son of the deceased, who is the father of the Petitioner has given a consent affidavit dated 25th May 2025. The same is annexed at page 32 to the petition. The affidavit discloses that the deponent is aware of the present petition filed by the Petitioner for legal heirship certificate and expressly gives his no objection to such legal heirship certificate being granted to the Petitioner without service of proclamation or notice to him, which has been waived. By the said consent affidavit, full and free consent has been granted for such legal heirship certificate to be granted in favour of the Petitioner without justifying the share of the deponent in the estate of the deceased.
6. It is further stated that the legal heirship certificate is required for the purposes of being produced before the officers of the Slum Rehabilitation Authorities in respect of a Slum Rehabilitation Scheme

that is stated to be underway at Amboli, Jay Bhavani Mata Road, Makadwadi, Andheri (West), Mumbai 400 058 where the deceased was residing.

7. It is further stated that no other petition for heirship certificate, succession certificate, probate or letters of administration with or without Will annexed has been filed. There is therefore no impediment to the grant of relief.
8. In view of the material placed on record, the petition is accepted and proclamation is dispensed with.
9. Petition is allowed in terms of prayer clause (a) which reads thus:

“(a) That a Legal Heirship Certificate be issued under the provision of Bombay Regulation Act VII of 1827, certifying that Petitioners are the heir and legal representatives of the deceased are as (1) Kunal Shankar Bodke and (2) Shankar Rama Bodke and deceased are (1) Rama Sunkappa Bodke and (2) Yallubai Rama Bodke.”
10. Petition is disposed of in terms of the above order with no order as to costs.

(FARHAN P. DUBASH, J.)

Shubham Gadhavepatil