

Ajay

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

MISCELLANEOUS PETITION NO. 967 OF 2025

Shankarlal Chotelal Gupta alias S C Gupta .. Deceased

Laxmi Ramakant Jaiswar .. Petitioner

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- Mr. Raghunath S. Gawde, Advocate for Petitioner.
 - Ms. Arwa Lokat, Advocate for Noticee Nos.1 to 3.
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CORAM : MILIND N. JADHAV, J.

DATE : APRIL 17, 2026.

P.C.:

1. Heard Mr. Gawde, learned Advocate for Petitioner and Ms. Lokat, learned Advocate for Noticee Nos.1 to 3.

2. Learned Advocate on behalf of Noticee who are the legal heirs of the deceased namely Vimal Shankarlal Gupta, Santoshi Shankarlal Gupta and Ganesh Shankarlal Gupta are taken on record. Learned Advocate Ms. Lokat appears and espouses the cause of the aforesaid legal heirs.

3. Petition is filed by one of the daughters of the deceased namely Laxmi. Details of the legal heirs of the deceased are given in paragraph No.4 of the Petition. Purpose for filing the Petition is also stated.

4. Petitioner seeks Legal Heirship Certificate in respect of all legal heirs, whose names are stated in prayer clause. In that view of the matter and having perused the Petition and record of the case as also consent Affidavits appended and after hearing the learned Advocate for the Noticee, there can be no impediment in allowing the present Misc. Petition. Misc. Petition is allowed in terms of prayer clause 'a' which reads thus:-

“a) *That a Legal Heirship Certificate of the Deceased be issued under the provision of Bombay Regulation Act VIII of 1827, certifying that (1) Vimal Shankarlal Gupta (Wife of the deceased), (2) Nirmala Rajesh Sahu (Daughter of the deceased), (3) Laxmi Ramakant Jaiswar (Daughter of the deceased and Petitioner herein) (4) Santoshi Shankarlal Gupta (Daughter of the deceased) (5) Madhuri Rajendra Gupta (Daughter of the deceased) (6) Ganesh Shankarlal Gupta (Son of the deceased) are the only heirs and Legal representatives of the deceased.*”

5. Issuance of proclamation stands dispensed with.

6. The Noticee represented by Ms. Lokat objects for issuance of Legal Heirship Certificate. The objections of the Noticee cannot be considered in view of the fact that the prayer clause in the Petition seeks declaration of legal heirs of the deceased in accordance with law and nothing more. Name of Noticee is one of them. Hence, there is no room for considering the objection. Therefore the objection which is raised by Noticee stands rejected and the Petition stands allowed.

7. Needless to state that the present order merely declares the legal heirs whose names and details are stated in paragraph No.4 as

the legal heirs of deceased Shankarlal Chotelal Gupta and nothing more. They are not an imprimatur of any entitlement to any immovable properties belonging to deceased which shall be noted by all the parties concerned.

8. All contentions of the Noticee are expressly kept open in appropriate proceedings. Leave and liberty is granted to Noticee to apply before the appropriate Court / Forum in accordance with law and seek appropriate orders as available to her in law.

9. In view of the above, Misc. Petition is disposed.

[MILIND N. JADHAV, J.]

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