

Ajay

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

MISCELLANEOUS PETITION NO. 161 OF 2026

Motiram Nana Mahamunkar .. Deceased

Vilas Motiram Mahamunkar .. Petitioner

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• Ms. Sujata Babar, Advocate for Petitioner.

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CORAM : MILIND N. JADHAV, J.

DATE : MARCH 05, 2026.

P.C.:

1. Not on Board. Mentioned by way of filing praecipe dated 05.03.2026. Perused the praecipe.

2. Heard Ms. Babar, learned Advocate for Petitioner.

3. Present Misc. Petition is filed by Petitioner for issuance of legal heirship certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of the properties and credits of deceased Motiram Nana Mahamunkar. The names and details of legal heirs of the deceased are stated in paragraph No.4 of the Petition. Purpose for filing the present Petition is stated in paragraph No.9 of the Petition. I have perused the same.

4. Joint consent affidavit dated 27.01.2026 of Shubhangi Arun Sawant, Dipika Dipak Sawant, Dilip Vithal Ghosalkar, Sampadaa

Ghosalkar and Shraddha Dilip Ghosalkar, the legal heirs are filed on record and appended at page No.38 of Petition.

5. In view of the above, there can be no impediment in allowing the Petition. Misc. Petition is allowed and disposed of in terms of prayer clauses 'a' and 'b' which read thus:-

- “(a) That Legal Heirship Certificate be issued Certifying that the Petitioner viz. VILAS MOTIRAM MAHAMUNKAR, his two Sisters viz. SHUBHANGI ARUN SAWANT and DIPIKA DIPAK SAWANT, Brother-in-Law viz. DILIP VITHAL GHOSALKAR, and two Nieces SAMPADAA GHOSALKAR and SHRADDHA DILIP GHOSALKAR are the only Heirs and Legal Representatives of the Deceased under the provision of Bombay Regulation Act VIII of 1827;*
(b) Delay of approx. 29 years and 11 months may be condoned.”

6. Issuance of proclamation stands dispensed with.

7. Department is directed to issue the legal heirship certificate as directed above within a period of 3 weeks from today positively.

8. Misc. Petition is allowed and disposed subject to compliance of office objections, if any, forthwith which shall be allowed by the Department.

[MILIND N. JADHAV, J.]

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