

Ajay

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

MISCELLANEOUS PETITION (L) NO. 7616 OF 2026

Mohd Ziauddin Shaikh alias M Jiauddin .. Deceased

Jalaluddin Ziauddin Shaikh .. Petitioner

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- Mr. Anthony Fernandes i/b Mr. Waquar Ahmed, Advocates for Petitioner.

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CORAM : MILIND N. JADHAV, J.

DATE : MARCH 06, 2026.

P.C.:

1. Not on Board. Mentioned by way of filing praecipe dated 06.03.2026. Perused the praecipe.

2. Heard Mr. Fernandes , 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 Mohd Ziaddun Shaikh alias M Jiaddun. 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.8 of the Petition. I have perused the same.

4. Consent affidavits dated 27.12.2025 of Humera Kausar Sadruddin Ahmed, Gayasuddin Ahmad Ziuaddin Shaikh, Raeesuddin

Mohammed Shaikh, and Sajida Abdul Rehman Shaikh, the legal heirs are filed on record and appended at page Nos. 32, 36, 40 and 44 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 clause 'a' which reads thus:-

“a) This Hon’ble Court be pleased to issue a Legal Heirship Certificate to the Petitioner under the provisions of the Bombay Regulation VIII of 1827 certifying that the Petitioner mentioned above in para 4 is the only heirs and legal representatives of the Deceased Mohd Ziauddin Shaikh alias M Jiauddin. viz Jalaluddin Ziauddin Shaikh (Son), Humera Kausar Sadruddin Ahmed (Daughter in law), Gayasuddin Ahmed Ziauddin Shaikh (Son), Raeesuddin Mohammed Shaikh (Son) & Sajida Abdul Rehman Shaikh (Daughter).”

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. It is clarified that the 3 week period shall start from the date of removal of office objections.

[MILIND N. JADHAV, J.]

Ajay

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