

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

MISC. PETITION NO. 369 OF 2026

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Monish Mrigendra Narayan Roy .. Petitioner

Shikha Mrigendra Narayan Roy .. Deceased

Ms. Falguni Kotak for Petitioner.

CORAM : FARHAN P. DUBASH, J.

DATE : 12th JUNE 2026

P.C.:

1. Heard Ms. Falguni Kotak, 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 mother of the Petitioner. The deceased expired on 18th December 2022. A copy of her death certificate is annexed to the petition. It is stated that at the time of her demise, the deceased was residing and had a fixed place of abode at Flat No. C-303, Lake Florence Phase-1, Lake Homes, Adi Shankar Charya Marg, Near Gopal Sharma School, Powai IIT, Powai, Mumbai 400 076. It is also stated

that the deceased died intestate without leaving behind any testamentary writing or Will.

4. In paragraph 3 of the petition in a tabular form, the Petitioner has given details of the heirs and legal representatives of the deceased. However inadvertently, at serial no. 1 in that table, the Petitioner has included the name of his father (husband of the deceased) who predeceased the deceased on 29th April 2002. A copy of his death certificate is also annexed to the petition. The Petitioner is therefore the only surviving heir and legal representative of the deceased.
5. It is 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.
6. The deceased was the owner of three immovable properties whose details are set out in Exhibit-E to the petition. The immovable properties include Flat No. C-303, Flat No. 4006 and land situated in North Bihar. The description of the immovable properties are set out hereunder.

1.	Immovable property consisting of C-303, Lake Florence Phase-1, Lake Homes, Adi Shankar Charya Marg, Near Gopal
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	Sharma School, Powai IIT, Powai, Mumbai – 400 076, admeasuring area about 985 sq. ft.
2.	Immovable property consisting of Flat No. 4006, 40 th Floor, Tower D, Runwal Code Name Enchanted, Kolshet, Thane – 400 607, admeasuring area about 556.1 sq. ft.
3.	Immovable property at Kali Mandir Chowk, Sitamarhi Bairgania, North Bihar – 843 313, admeasuring area about 1 Dismil about.

7. It is stated that the legal heirship certificate is required for the purpose of transfer of the said immovable properties to the name of the Petitioner.

8. In view of the material placed on record, the petition is accepted and allowed 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 Bombay Regulations VIII of 1827 certifying that Monish Mrigendra Narayan Roy as mentioned in para 4 herein above, are the only legal heir and legal representative of the deceased.”

9. Petition is accordingly disposed of in terms of the aforesaid order with no order as to costs.

(FARHAN P. DUBASH, J.)

Shubham Gadhavepatil