

Ajay

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

MISCELLANEOUS PETITION (L) NO. 10264 OF 2026

Anthony Fernandes and Louiza Fernandes .. Deceased Persons

Bertha Sophia Fernandes and Anr. .. Petitioners

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• Ms. Gayatri Khanvilkar, Advocate for Petitioners.

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CORAM : MILIND N. JADHAV, J.

DATE : APRIL 23, 2026.

P.C.:

1. Not on Board. Mentioned by way of filing praecipe dated 23.04.2026. Perused the praecipe.

2. Heard Ms. Khanvilkar, learned Advocate for Petitioners.

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 persons Anthony Fernandes and Louiza Fernandes. The names and details of legal heirs of the deceased are stated in paragraph No.2 on page No.11 of the Petition. Purpose for filing the present Petition is stated in paragraph No.6 of the Petition. I have perused the same.

4. Petitioners are the legal heirs of the deceased.

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 Petitioners under the provision of Bombay Regulation VIII of 1827 certifying that the Petitioners, herein above are the only heirs and legal representatives of the deceased;”

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.]

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