

Ajay

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

MISCELLANEOUS PETITION NO. 462 OF 2026

Subbaya Babu Shetty .. Deceased

Padmini Subbaya Shetty .. Petitioner

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• Mrs. Asha P. Nair, Advocate for Petitioner.

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CORAM : MILIND N. JADHAV, J.

DATE : APRIL 15, 2026

P.C.:

- 1.** Not on Board. Mentioned by way of filing praecipe dated 15.04.2026. Perused the praecipe.
- 2.** Heard Mrs. Nair, 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 Subbaya Babu Shetty. 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.7 of the Petition. I have perused the same.
- 4.** Consent affidavits dated 26.03.2026 of Prashant Subbaya Shetty, Sushant Subbaya Shetty and Priyanka Subbaya Shetty, the legal

heirs are filed on record and appended at page Nos.27, 31 and 35 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) That a Legal Heirship Certificate Certifying that the Petitioner along with the heirs mentioned in Para 4 above viz. (i) Padmini Subbaya Shetty (wife-widow of deceased); (ii) Prashant Subbaya Shetty (son of deceased); and (iii) Sushant Subbaya Shetty (son of deceased); and (iv) Priyanka Subbaya Shetty (daughter of deceased), being the only heirs and legal representative of the said deceased under the Provision of Bombay Regulation Act, Act, VIII of 1827.”

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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by RAVINDRA
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