

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

MISCELLANEOUS PETITION NO.671 OF 2026

Usha Nishikant Nadkarni, Age 83 years,
R/o.403, The Fortuna Co-Op.Housing Society Ltd.
Ceasar Road, Opp.Shivsena Office, Amboli,
Andheri (W),Mumbai-400 058.

Petitioner

Nishikant Nadkarni @ Nishikant Lajapat Nadkarni

Deceased

Mr.Sameer Lagade i/by Mr.Shirish Mathkar for Petitioner.

CORAM: AARTI SATHE, J.

DATE: 15th June 2026

P.C.

1. Heard Mr.Sameer Lagade, 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 husband of the Petitioner who expired on 27th October 2025. A copy of his death certificate is annexed to the petition as Exhibit-A. It is stated that at the time of his demise, the deceased was residing at 903, Vijayashree Society, St.Anthony Road, Chembur, Mumbai-400071 and had a permanent place of abode at 403, The Fortuna Co.op.Housing Society Ltd; Ceasar Road, Opp.Shivsena Office, Amboli, Andheri (West), Mumbai-400058. It is also stated that the deceased died intestate without leaving behind any testamentary writing or Will.
4. In paragraph 5 of the petition, the Petitioner has given details of the surviving

legal heirs of the deceased namely one wife, and three daughters. It is specifically stated that the mother of the deceased has predeceased him on 18th February 2010. On instructions it is submitted that even the father of the deceased has predeceased.

5. The petition also annexes the consent affidavits of the three daughters of the deceased, who have given their no objection to the grant of legal heirship certificate in favour of the Petitioner, by waiving service of proclamation upon them and have accorded their full and free consent to the same.

6. It is stated that the legal heirship certificate is required to be produced before the competent authorities in order to complete legal formalities for transfer of propertis so as to enter the name of the Petitioner and other legal heirs of the deceased in all the official records.

7. It is stated that no other petition for probate of any will or for succession certificate/letters of administration to the property of credits of the deceased. There is, therefore no impediment to the grant of the relief.

8. In view of the material placed on record, the Petition is accepted and proclamation is dispensed with and the petition is allowed in terms of prayer clause (a) which reads thus:

“(a) That a Legal Heirship Certificate, certifying that the legal heirs mentioned in paragraph 5 to the Petition are the only legal heirs and legal representatives of the said deceased above named and for the purpose mentioned in paragraph 6 to the Petition, be issued.”

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

(AARTI SATHE, J.)