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

MISC. PETITION NO. 721 OF 2026

Dharamraj Sadanand Arolkar & Anr. ...Petitioners

Savita Sadanand Arolkar ...Deceased

Mr. M. R. Sherekar for Petitioner.

CORAM: AARTI SATHE, J.

DATE: 15 JUNE 2026

P.C.

1. Heard Mr. Sherekar, learned Counsel for the Petitioners.
2. By this petition filed under the provisions of Bombay Regulation VIII of 1827, the Petitioners seek issuance of legal heirship certificate in favour of the surviving legal heirs of the deceased.
3. The deceased was the mother of the Petitioners. The deceased expired on 11th April 2026. A copy of her death certificate is annexed to the petition. It is stated that at the time of her death, the deceased was residing and had a fixed place of abode at Room No.2, 10 Pittalwala Building, Dr. Batliwala Road, Cross Gokhale Society Lane, Parel, Mumbai 400012. It is also stated that the deceased died intestate, without leaving behind any testamentary writing or Will.
4. In paragraph 4 of the petition, the Petitioner has given details of the surviving legal heirs of the deceased i.e. one son and one daughter. It is specifically stated that the parents of the deceased has predeceased her. It is specifically stated

that except the surviving legal heirs of the deceased mentioned in paragraph 4, there are no next to kin and any other legal heir left by the deceased.

5. It is submitted that considering that the Petitioners are the only surviving legal heirs of the deceased, the requirement of the consent affidavits or proclamation/citation/notice be dispensed with.

6. It is stated that the legal heirship certificate is required to produce before the concerned competent authority of MHADA to complete the legal formalities to enter the name of the Petitioners as legal heirs of the deceased in respect of scheduled property, in all the official records.

7. It is stated that no other petition for heirship certificate, succession certificate, probate or letters of administration with or without Will have been filed. 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) and (C) which read thus:

“A) This Hon'ble Court be pleased to issue a Legal Heirship Certificate under the provision of Bombay Regulation VIII of 1827 certifying that the Petitioners i.e. i) Dharmaraj Sadanand Arolkar ii) Sharda Sadanand Arolkar are the only heirs and legal representatives of the said deceased;

C) That the Proclamation be dispense with;”

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

(AARTI SATHE, J.)