



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

MISCELLANEOUS PETITION (L) NO. 10.319 OF 2026

Haji Elias Abdulla Khatri .. Deceased

Firdous Elias Khatri .. Petitioner

-
- Mr. Rupesh Jambhavdekar i/b Ms. Darshi Jhaveri, Advocates for Petitioner.

.....

CORAM : MILIND N. JADHAV, J.

DATE : MARCH 24, 2026.

P.C.:

- 1.** Not on Board. Mentioned by way of filing praecipe dated 24.03.2026. Perused the praecipe.
- 2.** Heard Mr. Jambhavdekar, 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 Haji Elias Abdulla Khatri. 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.8 of the Petition. I have perused the same.
- 4.** Consent affidavits dated 12.02.2026 of Yunus Elias Khatri, Idris Elias Khatri, Avesh Elias Khatri, Abbas Elias Khatri, Nafees Elias



Khatri, Anees Elias Khatri, Kayas Elias Khatri, Khatun Ishaq Qureshi, Shamim Banu Mohammed, Naseem Yunus Sayyeed, Abida Anwar Behlim and Ayas Elias Khatri, the legal heirs are filed on record and appended at page Nos.40, 44, 48, 52, 56, 60, 64, 68, 72, 76, 80 and 84 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 of the Deceased be issued under the provision of Bombay Regulation Act VIII of 1827, certifying that (1) Firdous Elias Khatri, (2) Yunus Elias Khatri, (3) Idris Elias Khatri, (4) Avesh Elias Khatri, (5) Abbas Elias Khatri, (6) Nafees Elias Khatri, (7) Anees Elias Khatri, (8) Kayas Elias Khatri, (9) Khatun Ishak Qureshi, (10) Shamim Banu Mohammed, (11) Naseem Yunus Sayyeed, (12) Abida Anwar Behlim, and (13) Ayas Elias Khatri 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.]