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

MISCELLANEOUS PETITION (L) NO. 16447 OF 2026

Diago D'souza alias Diego D'souza alias Daigo
D'souza alias Diogo D'souza .. Deceased
Agnes Constatio D'souza .. Petitioner

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• Mr. Sameer Logade, Advocate for Petitioner.

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CORAM : MILIND N. JADHAV, J.

DATE : MAY 07, 2026

P.C.:

1. Not on Board. Mentioned by way of filing praecipe dated 07.05.2026. Perused the praecipe.

2. Heard Mr. Logade, 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 Diago D'souza alias Diego D'souza alias Daigo D'souza alias Diogo D'souza. 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.9 of the Petition. I have perused the same.

4. Consent affidavits dated 02.05.2026 and 04.05.2026 of Peter Domnic Monsorate, Quincy Bosco Monsorate, Jackie Bosco D'souza,



Carol Percy Umapathy, Natty Joaquim Rodrigues, Johny Diago D'souza, Natty Blasco Monsorate, Mrunalini Gorakshanath Shroff and Laveena Micheal D'souza, the legal heirs are filed on record and appended at page Nos.55, 57, 59, 61, 63, 65, 67, 69 and 71 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 be issued, certifying that (i) Peter Domic Monsorate; (ii) Quincy Bosco Monsorate; (iii) Agnes Constatio D'souza; (iv) Jackie Bosco D'souza; (v) Carol Percy Umapathy; (vi) Natty Joaquim Rodrigues; (vii) Johny Diago D'souza; (viii) Natty Blasco Monsorate; (ix) Mrunalini Gorakshanath Shroff and (x) Laveena Micheal D'souza are the legal heirs and legal representatives of the deceased abovenamed under the provision of Bombay Regulation 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. 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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