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

MISCELLANEOUS PETITION (L) NO. 16477 OF 2026

Kasam Fakhruddin Shaikh .. Deceased

Mohammed Shamim Shaikh .. Petitioner

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• Mr. Narendra V. Bhandare, Advocate for Petitioner.
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CORAM : MILIND N. JADHAV, J.

DATE : MAY 06, 2026

P.C.:

1. Not on Board. Mentioned by way of filing praecipe dated 06.05.2026. Perused the praecipe.

2. Heard Mr. Bhandare, 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 Kasam Fakhruddin Shaikh. 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 06.04.2026, 24.02.2026, 24.02.2026, 24.02.2026 and 02.04.2026 of Mohd. Ismail Kasam



Shaikh, Rehana Nazir Hussain Shaikh, Shafiq Nazir Hussain Kasam, Maqbool Nazir Hussain Kasam and Shahnaz Nazir Hussain Shaikh, the legal heirs are filed on record and appended at page Nos.30, 34, 38, 42, and 46 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 un-numbered prayer clause which reads thus:-

“That a Legal Heirship Certificate be issued under the provision of Bombay Regulation Act VIII of 1827 Certifying that (1) Mohammed Shamim Shaikh (Son of the Deceased and the Petitioner herein), (2) Mohd Ismail Kasam Shaikh (Son of the deceased), (3A) Rehana Nazir Hussain Kasam (Daughter-in-law of the deceased) (3B) Shafiq Nazir Hussain Kasam (Grand Son of the deceased) (3C) Maqbool Nazir Hussain Kasam (Grand Son of the deceased) (3D) Shahnaz Nazir Hussain Kasam (Grand Daughter of the deceased) are the only heirs and Legal representative 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.]

Ajay

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by HARSHADA
HANUMANT
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