



Ajay

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

MISCELLANEOUS PETITION (L) NO. 16801 OF 2026

Kaisar Jaha Khan w/o Mohammed Sharif Khan .. Deceased

Mohammed alias Mohammad Sharif Khan s/o
Ahmed Khan .. Petitioner

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• Ms. Vinali Bhaidkar, Advocate for Petitioner.

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CORAM : MILIND N. JADHAV, J.

DATE : MAY 08, 2026.

P.C.:

1. Not on Board. Mentioned by way of filing praecipe dated 08.05.2026. Perused the praecipe.

2. Heard Ms. Bhaidkar, 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 Kaisar Jaha Khan w/o Mohammed Sharif Khan. 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. Joint consent affidavit dated 06.05.2026 of Imtiyaz Mohammed alias Mohammad Sharif Khan, Heena Mohammed Saddam



Shaikhand Salim Mohammed alias Mohammad Sharif Khan, the legal heirs are filed on record and appended at page No. 29 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 clauses 'a' and 'b' which reads thus:-

*“(a) The delay in filing the present Petition may kindly be condoned;
(b) A Legal Heirship Certificate be issued under the provision of the Bombay Regulation Act VIII of 1827 certifying that (1) Mr. Mohammed alias Mohammad Sharif Khan; (2) Mr. Imtiyaz Mohammed alias Mohammad Sharif Khan; (3) Mrs. Heena Mohammed Saddam Shaikh and (4) Mr. Salim Mohammed alias Mohammad Sharif Khan 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.]

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