



Ajay

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

MISCELLANEOUS PETITION (L) NO. 16869 OF 2026

Asgar Mohamed Akbar Lehry alias Asgar
Mohamed Lehry .. Deceased
Asma Asgar Lehry .. Petitioner

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• Mr. Anand Tiwari, 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 Mr. Tiwari, 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 Asgar Mohamed Akbar Lehry alias Asgar Mohamed Lehry. 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. 7 of the Petition. I have perused the same.
- 4.** Consent affidavit dated 06.04.2026 of Rashida Murtaza Kapasi and Mohamed Asgar Lehry, the legal heirs are filed on record



and appended at page Nos. 34 and 38 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 read thus:-

"a) That a Legal Heirship Certificate be issued under the provision of Bombay Regulation Act VIII of 1827 Certifying that (1) Asma Asgar Lehry (Widow of the deceased and the Petitioner herein), (2) Rashida Murtaza Kapasi (Married Daughter of the deceased) and (3) Mohamed Asgar Lehry (Son 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.]

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by AJAY
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