

ORDER BELOW EX.1 IN CIVIL MISC. APPL. NO. 1712/2019

AMITBHAI HARESHBHAI MAKAWANA
HINDU, AGE:29, OCCU: BUSINESS

ADDRESS:
L/2-38, HUDKO QUARTER,
B/H. R.T.O.,
MARKETING YARD,
RAJKOT.

...APPLICANT

**SUB: HEIRSHIP CERTIFICATE IN RESPECT OF
THE PROPERTY OF DECEASED KAILASHBEN
HARESHBHAI MAKAWANA**

LEARNED ADVOCATE SHRI V.H.BHATT FOR THE APPLICANT

1. The applicant claims to be the heir of Deceased Kailashben Hareshbhai Makawana, who expired on dated 29-01-2013 without making any "Will" or "Testament" in respect of the immovable Property. The applicant has prayed for Heirship Certificate in respect of the property as per Schedule produced at Exh. 1/1 with this application.

2. A public Notice inviting objections to the grant of this application was issued in daily local newspaper, which is produced at Exh. 9 but nobody has appeared in this proceeding and filed any objections against the grant of this application.
3. The applicant has filed final affidavit at Exh. 6 and deposed on oath the short facts narrated in this application. The other near relatives of the deceased as described in Para- 2 of this application has filed their Consent Affidavits at Exh. 10 to 12 to the grant of this application.
4. The applicant has filed list of documentary evidence as under:

1. Death Certificate at Exh. 4/1

2. Documents relating to the property at Exh. 4/2
 3. Valuation report at Exh. 4/3
 4. Public Notice at Exh. 9
 5. Consent affidavits of near relatives of the deceased at Exh. 10 to 12
 6. Final Affidavit of Applicant at Exh. 6
5. In view of the above, the applicant has complied with requirements to the grant of Heirship Certificate for the immovable property of Deceased Kailashben Hareshbhai Makawana as mentioned in Schedule at Exh. 1/1 and nobody appeared to file objections even on public Notice, therefore, there is no reason to disbelieve the say of the applicant. Therefore, following final Order is passed.

// ORDER //

1. This application is hereby allowed.
2. The Heirship Certificate in respect of the property of Deceased Kailashben Hareshbhai Makawana as described in the Schedule at Exh. 1/1 be issued in the name of applicant on production of requisite Court Fees Stamps on the value of Rs.2,34,028/-

Signed and pronounced in the open court today
on this ____ October, 2020 at Rajkot.

Rajkot

Date: /10/2020

(S.H.Bamrotiya)
17 Addl Sr. Civil Judge,
Rajkot
UIC NO. _____