



ORDER BELOW EXH.01
(Passed on Dt- 19/10/2024)

1. The present application is filed by the applicants for grant of the heirship certificate.
2. In short, contentions of the applicants are that, applicant no. 1 is wife, applicants no. 2 and 3 are daughters, applicants no. 4 is son and applicant 5 is mother of deceased **Anandrao s/o Babarao Dhuppekar** who died on **16/04/2024**, leaving behind him, the applicants as legal heirs. There is no other legal heir of said deceased except the applicants. Now, the applicants need heirship certificate only for formal recognition of heirs of deceased. Lastly, they prayed to allow the application.
3. The applicants have produced the documents i.e. original copy of death certificate of **Anandrao s/o Babarao Dhuppekar (Exh.20)**, the verified copy of Adhar cards of applicants no. 1 to 4 (**Exh.21 to 24**) along with list of document at (**Exh.05**).
4. A public notice was issued in daily newspaper "Dainik Godatir" dated 27/06/2024 (**Exh.25**), for calling objections against claim of the applicants for grant of heirship certificate. **It is significant to mention here that, during the pendency of proceeding objectioner petitioner by name Rukminibai w/o Babarao Dhuppekar appeared through her advocate and filed application (Exh. 10) and thereby urged to add her as party in this proceeding. It is contended in the application that, the petitioner is mother of deceased Anandrao Dhuppekar. She has contended that, the father and mother of the deceased are alive, however the applicants suppressed this fact from the court. The save applicants was called for. The applicants have filed the say below same (Exh. 10). In the say the applicants admitted that, Rukminibai w/o Babarao Dhuppekar is mother of deceased. However it is mentioned in the say that, she has refused to sign the application, therefore she was not made party to the application. As the mother comes under class-I heirs the application was allowed and the present applicants were directed to add the Rukminibai w/o Babarao Dhuppekar as applicant no. 5. The applicants accordingly carried out amendment and filed**

amended application (**Exh. 1/1**) and added applicant no. 5, **Rukminibai w/o Babarao Dhuppekar**.

5. Applicant no. 02 has filed affidavit of examination-in-chief vide (**Exh.19**) for herself and closed oral evidence vide pursis at (**Exh.27**). The claim of the applicants is well supported by affidavit of applicants which remains intact. The applicants have also filed the heirship Certificate (**Exh.26**), issued by Sarpanch and Police Patil, Pachpimpli, Tq. Biloli under the seal and signature, stating that, they are only legal heirs of deceased **Anandrao s/o Babarao Dhuppekar**.

6. Perused the record. It appears that, the applicants are legal heirs of deceased **Anandrao s/o Babarao Dhuppekar**. Therefore, they are entitled to get the heirship certificate as per Sec.3 of the Bombay Regulation Act. Grant of such certificate is only formal recognition of his existing status as an heir. In the facts and circumstances of the case in hand nobody appeared to challenge the contentions of the applicants. So, their contentions are that applicants are only legal heirs of deceased **Anandrao s/o Babarao Dhuppekar** remain unchallenged. Therefore, considering all these aspects, I have no hesitation to accept the contentions of the applicants. Applicants are entitled to get the heirship certificate of their father only as formal recognition. Grant of this heirship certificate shall not be used for the mutation and other purposes with regard to the property of deceased. Hence, I proceed to pass the following order:

ORDER

1)	Application is allowed as follows.
2)	Issue Heirship Certificate of deceased Anandrao s/o Babarao Dhuppekar in favour of the applicants no. 1 to 5 in the form contended in appendix-B, on required Court Fees.
3)	Grant of this heirship certificate shall not affect title of the property of deceased.
4)	Application is disposed of accordingly.

(S.G. Thanedar)

Date 19/10/2024.

Place : Biloli

2nd Jt. Civil Judge, Junior Division,
Biloli.

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Civil M.A. No. 82/2024
Rekha V/s. Nil

CERTIFICATE

I affirm that the contents of this P.D.F. File Judgment are same word to word, as per the original Judgment.

Name of Jr. Clerk : Rathod D.GJr. Clerk

Court Name : 2nd Jt. C.J.J.D, Biloli.

Date : 19/10/2024.

Judgment signed by

Presiding Officer on : 19/10/2024.

Judgment uploaded on : 21/10/2024.