

MHAH190016782022



ORDER BELOW EXH.01 IN Civil M. A. NO. 45/2022
(Bhagwat Trimbak Ghule and others Vs. Savita Maruti Darade)

1. This is an application filed by heirs of deceased Trimbak Aba @ Abaji @ Abasaheb Ghule for grant of heirship certificate.
2. It is the contention of the applicants that, applicant no. 1 and 3 are sons and applicant no. 2 is wife, non applicant no. 1 to 3 are daughters of deceased Trimbak Aba @ Abaji @ Abasaheb Ghule. Deceased Trimbak died on 13/08/2022 at Sai Asian Hospital, Ahmednagar. Applicant and non applicants are the only legal heirs of deceased Trimbak.
3. It is further alleged that deceased Trimbak owned land gat no. 23, 106, 90, 74 at Pingewadi, Tal. Shevgaon, gat no. 43 at Sonvahir, Tal. Shevgaon, plot no.1/3 out of gat no. 417 at Bodhegaon, Tal. Shevgaon. Name of deceased Trimbak is entered as owner of property no.80 situated at village Chapadgaon, Tal. Shevgaon. Besides the above mentioned immovable property, deceased Trimbak also bear saving account no. 476 at ADCC Bank, branch Hatgaon and A/c no. 003210018000971 at ADCC Bank, Chapadgaon. Saving A/c. no. 20193100877 at Bank of Maharashtra, branch Chapadgaon, Tal. Shevgaon, A/c. no. 110604001000168 at Renuka Mata Multi State Co-op Urban, branch Bodhegaon, Tal. Shevgaon. Deceased Trimbak also had account in Vividh Karyakari Society, Pingewadi, Tal. Shevgaon. The applicants and non applicants wish to enter their names as legal heirs to the above mentioned movable and immovable property. For the said

reasons the applicants approached above mentioned government offices. But, the concerned authorities asked them to produce heirship certificate. Hence, applicants and non applicants have filed this application for grant of Heirship Certificate.

4. In support of their contentions, applicants alongwith Exh.3 filed death certificate of Trimbak Abasaheb Ghule, 7x12 extract of gat no. 23, 106, 90 and 74 of village Pingewadi, Tal. Shevgaon, 7x12 extract of gat no. 43 of village Sonvahir, 7x12 extract of plot no.1/3 out of gat no.417 situated at Bodhegaon, copy of passbook of ADCC Bank, Bank of Maharashtra, Renuka Mata Multi State Co-op Urban, extract of grampanchayat property no.80, citation notice- Exh.15, notice published in daily newspaper "Prabhat" dated 25/11/2022 – Exh. 18.

5. Applicant no.1 Bhagwat Trimbak Ghule has filed his affidavit by way of evidence vide Exh. 19. Applicant no.2 also filed her evidence affidavit at Exh.20. Applicant no.1 and 2 both stated the same facts as mentioned in the application.

6. Citation notice was duly served but, no one appeared and raised any objection.

7. Contents of the application and other documents shows that, applicants are the legal heirs of deceased Trimbak Aba @ Abaji @ Abasaheb Ghule. The heirship certificate is not contested on any issue. It is the contention of applicants and non applicant that they are heirs of Trimbak Aba @ Abaji @ Abasaheb Ghule. This contention is not denied by anyone. Further, no one appeared and contested application that applicants and non applicant are heirs of deceased Trimbak Aba @ Abaji

@ Abasaheb Ghule. Therefore, in view of unchallenged testimony of applicants and non applicant, there is no impediment for granting heirship certificate in favour of applicants and non applicant. Hence, I proceed to pass the following order :-

ORDER

1. Issue Heirship Certificate in the name of applicants and non applicants.
2. Applicants are directed to pay the necessary Court Fee Stamp.

Place: Shevgaon
Date : 01/02/2023

(Smt S.U.Jaguste)
Civil Judge Jr. Division,
Shevgaon.