

MHAM050018232022



M.J.Cases/637/2022
Kantabai Madhukar Tayade and 3 Vs. NIL

ORDER BELOW EXH.1
[Passed on 13.12.2022]

The present application is filed under the provisions of the Bombay Regulation VIII of 1827 for issuance of the heirship certificate.

Brief facts are as under,

2. Deceased **Madhukarrao Irbhanji Tayade** was husband of applicant No.1 and father of applicant Nos.2 to 4. The said **Madhukarrao Irbhanji Tayade** died on 08.09.2020. Applicants are only heir of deceased **Madhukarrao Irbhanji Tayade**. Applicants, lastly, prayed that the legal heirship certificate may kindly be issued in their favour.

3. After receipt of the application, paper proclamation and citation notice were issued. Accordingly, citation notice duly published vide report **Exh. 6** and **7**.

4. Applicant No.2 has filed his evidence affidavit at Exh.10. He stated on oath that his father **Madhukarrao Irbhanji Tayade** died on **08.09.2020**. Applicants are only heir of deceased **Madhukarrao Irbhanji Tayade**. Applicants have filed copies their Addhar cards at Exh. 12 to 15 and death certificate of **Madhukarrao Irbhanji Tayade** at Exh.11. It appears that **Madhukarrao Irbhanji Tayade** died on

08.09.2020. Applicants have filed copy of News paper “Vrutta Kesari”, dtd. 12.11.2022 at Exh.16. The public notice was published in the said news paper.

5. In spite of publication of citation notice and Paper publication, nobody has taken objection to the present application. Therefore, on the basis of oral evidence of applicant No.2, it reveals that applicants are only legal heirs of deceased **Madhukarrao Irbhanji Tayade**.

6. Considering the above said discussion, the application deserves to be allowed. In the result, I proceed to pass following order:-

ORDER

- (1) The application is allowed.
- (2) Issue heirship certificate in the name of applicants recognizing them as legal heirs of deceased **Madhukarrao Irbhanji Tayade**.
- (3) The application is disposed of accordingly.

Date. 13.12.2022.

(D.M.G. Malidwale)
2nd Jt.Civil Judge (Jr.Dn.), Achalpur