



**IN THE COURT OF PRL.SENIOR CIVIL JUDGE AND  
CJM, GADAG**

**PRESENT**

**SHRI. G.R.SHETTAR B.com., LL.B (Spl)  
PRL.SENIOR CIVIL JUDGE AND CJM, GADAG**

**DATED THIS 01<sup>ST</sup> DAY OF JULY, 2026**

**P & SC No.07/2026**

**PETITIONERS :**

1. Manisha D/o Mrutyunjaya Kabbur,  
Age: 31 years, Occ: Household,  
R/o Veerabhadreshwar Nilaya, Near  
Chetana Canteen, Gadag,  
Tq/Dist:Gadag.
  2. Shaila W/o Mrutyunjaya Kabbur,  
Age: 56 years, Occ: Household,  
R/o Veerabhadreshwar Nilaya, Near  
Chetana Canteen, Gadag,  
Tq/Dist:Gadag.
- (R/by Smt.S.R.Akki., Advocate)**

**Vs**

**RESPONDENT:**

**Whosoever concerned**

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**ORDER**

The petitioners have filed the present petition U.Sec.372 of Indian Succession Act for grant of Succession Certificate to claim equity shares standing in the name of deceased Mruthunjayappa K.M. (Mruthunjayappa M.Kabbur).

**2. Case of the petitioners in brief is as under:**

The husband of the petitioner No.2 and father of petitioner No.1 viz., Mruthunjayappa K.M. (Mruthunjayappa M.Kabbur), native of Ranebennur had purchased 525 Equity Share Certificates of NICHOLAS PIRAMAL ENTERPRISES LIMITED at Regd. Folio No.M6294 Distinctive No.22526096 to 22626620 under Certificate No.15272, face value of Rs.2/- per share, total value of share is Rs.7,87,500/- and also purchased 2100 share certificate of NICHOLAS PIRAMAL ENTERPRISES LIMITED at Regd. Folio No.M6294 Distinctive No.006294 face value of Rs.10/- per share, total value of share is Rs.7,87,500/-, in all Rs.11,44,500/-. The said Mruthunjayappa died on 26/05/1999 leaving behind the petitioners as his legal heirs. Except the petitioners, there are no class-I heirs to deceased Mruthunjayappa K.M. The petitioners have succeeded to the properties left by deceased and their names are duly mutated in the name of petitioners to the immovable properties. The petitioners being the legal heirs of deceased

Mruthunjayappa K.M. (Mruthunjayappa M.Kabbur) are entitled to succeed to the assets including petition properties standing in the name of the deceased. Hence, prayed for allowing the petition by granting Succession Certificate in favour of the petitioners.

3. The notice was duly published in the newspaper, nobody has appeared before this Court.

4. Petitioner No.1 is deposed as P.W.1 and got marked Ex.P.1 to Ex.P.8.

5. Heard arguments.

6. Points that arise for my consideration are as under:

I. Whether the petitioners are entitled for the Succession Certificate?

II. What order?

7. My finding on the above points are as under:

**POINT No.I** : In the Affirmative

**POINT No.II**: As per final order,  
for the following:

### **REASONS**

8. **POINT No.I**: It is the case of the petitioners that Mruthunjayappa K.M. (Mruthunjayappa M.Kabbur) died

on 26/05/1999 leaving behind the petitioners as his legal heirs, during his lifetime, he had purchased the share certificates from 525 Equity Share Certificates and 2100 share certificates of NICHOLAS PIRAMAL ENTERPRISES LIMITED to the tune of Rs.11,44,500/-. It is further asserted that the petitioners being the only legal heirs are entitled to succeed to the properties left out by the deceased. Hence, the petitioners are before the Court.

9. The petitioner No.1 has deposed as P.W.1 by reiterating the petition averments and produced documents at Ex.P.1 to Ex.P.8. Ex.P.1 is the death extract pertaining to Mruthyunjaya M.Kabbur who died on 26/05/1999. Ex.P.2 is the heirship certificate which shows that the petitioners are the only legal heirs to deceased Mruthyunjayappa M.Kabbur. Ex.P.3 and 4 are the Equity Share Certificates of NICHOLAS PIRAMAL INDIA LIMITED. Ex.P.5 is the endorsement issued by Davanagere police. Ex.P.6 and 7 are the Aadhar Cards of the petitioners. Ex.P.8 is the paper publication.

10. The documents which are placed by the petitioners clearly establish that the petitioners are the legal heir of the deceased Mruthyunjayappa M.Kabbur. Further, even after issuance of paper publication nobody has appeared before the Court to claim the share amount standing in the name of deceased Mruthyunjayappa M.Kabbur. Under such circumstances, the pleading, evidence and the documents of the petitioners are remained unchallenged. There is no reason to disbelieve the oral testimony and documentary evidence. Under such circumstances, there is no impediment to grant succession certificate as prayed in the petition. Accordingly, I answer this point No.I in the Affirmative.

11. **POINT No.II**: As discussed above, I proceed to pass the following:

**ORDER**

The petition filed by the petitioners filed under Section 372 of Indian Succession Act is hereby allowed.

Succession certificate is hereby granted in the name of petitioners.

The office is hereby directed to issue succession certificate in the name petitioners to claim the Equity Share and share standing in the name of Mruthyunjayappa M.Kabbur as prayed in the petition.

No order as to costs.

(Dictated to stenographer, transcribed and typed by him, printed, then corrected and pronounced by me in the open court on this **01<sup>st</sup> day of July, 2026**)

Sd/-01/07/2026

**(G.R.SHETTAR)**

**Prl.Senior Civil Judge & CJM,  
GADAG**

### **ANNEXURES**

#### **WITNESSES EXAMINED FOR PETITIONERS:**

P.W.1 : Manisha Kabbur

#### **DOCUMENTS EXHIBITED FOR PETITIONERS:**

Ex.P.1 : Death Extract  
Ex.P.2 : Survival Certificate  
Ex.P.3 & 4 : Share Certificates  
Ex.P.5 : Endorsement  
Ex.P.6 & 7 : Aadhar Cards  
Ex.P.8 : Paper Publication

Sd/-01/07/2026

**(G.R.SHETTAR)**

**Prl. Senior Civil Judge & CJM.,  
GADAG**