

MHAM020058232025



ORDER BELOW EXH.NO.1 IN M. J. CASE No.3132/2025

- 1) This is an application filed under Section 2 of the Bombay Regulation Act of 1827 for grant of heirship certificate.
- 2) Applicants submitted that, applicants no.1 to 3 are the sons, applicant no.4 is married daughter, applicant no.5 is daughter-in-law, applicant no.6 is grandson and applicant no.7 is married granddaughter of deceased of **She Mahebub She Annu**, who died on 27/04/1973 and **Sugarabi Shaikh Mahbub**, who died on 06/04/2012 at Amravati, Tq.& Dist. Amravati. Both deceased were permanent resident of at Amravati, Tq.& Dist. Amravati. Parents of deceased She Mahebub She Annu died long back and their death certificates are not available
- 3) The son of deceased She Mahebub She Annu and Sugarabi Shaikh Mahbub namely She Kadir She Mahebub died on 21/11/1987 at T.B. hospital, Amravati, Tq. & dist. Amravati leaving behind applicant no.5 as widow, applicant no.6 as son and applicant no.7 as daughter. Therefore, there are no other legal heirs to deceased She Mahebub She Annu and Sugarabi Shaikh Mahbub except the applicants.
- 3) Applicants require heirship certificate for formal recognition, general and official purpose. Hence, they prayed that, application be allowed and heirship certificate of deceased She Mahebub She Annu and Sugarabi Shaikh Mahbub be issued in their names.

4) After filing the present application in the Court, the proclamation has been published in daily news paper “Dainik Batmipatra”, dated 24/01/2026, which is at Exh.No.20 and citation notice, which is below Exh.No.07 was also issued and objections were called from the persons interested to claim heirship certificate, but no one has objected the applicants claim.

5) On perusal of contentions mentioned in the application following points arise for my determination. They are mentioned here under with my findings thereon for the reasons given below.

POINTS

FINDINGS

- | | |
|---|------------------------|
| 1) Whether the applicants are entitled to ... In the affirmative.
get heirship certificate ? | |
| 2) What Order ? | ...As per final order. |

:: REASONS ::

As to point no.1 :-

6) In order to support the claim, applicants have filed death certificates of Sugarabi Shaikh Mahbub, She Mahebub She Annu and She Kadir She Mahebub at Exh. 11, 22 and 23 respectively & Verified copies of Aadhar cards of applicants at Exh.12 to 17 respectively. Applicant no.1 Sheikh Hasan filed his evidence affidavit, stating all the contentions in the application, which is at Exh.10. Applicants have closed their evidence by filing pursis at Exh.No.21. No one yet has challenged their evidence on record. So there is no reason to disbelieve testimony of applicants No.1 and documentary evidence produced on record by applicants.

7) Heard learned advocate for the applicants. Learned Advocate submitted that, the applicants are in need of heirship certificate for formal recognition. Considering the documents filed on

record and oral testimony of applicant No.1, the applicants are entitled to get heirship certificate as prayed, as being the formally recognized heirs of deceased She Mahebub She Annu and Sugarabi Shaikh Mahbub namely as no one has objected their claim. Therefore, the certificate can be issued in the name of applicants. **Hence, I record my finding to point No.1 in the affirmative.**

As to point No.2 :-

8) In view of my finding to above mentioned point No.1 and for the reasons therein, **I proceed to pass following order :-**

:: ORDER ::

- 1) Application is allowed.
- 2) Issue heirship certificate in the name of applicants, as being the formally recognized heirs of deceased **She Mahebub She Annu and Sugarabi Shaikh Mahbub** as mentioned in the application on payment of sufficient Court fee as per rules.

Date : 23.07.2026

(S.S. Bhingardeo)
8th Jt. Civil Judge Junior Division,
Amravati