



In the Court of 16th Additional Senior Civil Judge,
At: Rajkot

Civil Misc. Application No. 526/2026

Exh. No.

Applicant:

Mehulbhai Chimanbhai Thakar

Age: 39 Yrs, Occu: Job,

Address: 12/B, Gautamnagar-1,

B/h. Maruti Hall, Gandhigram,

Rajkot.

Subject:- Application to obtain Heirship Certificate.

B. N. Vyas, Learned Advocate for the applicant.

∴ ORDER ∴

[1] Brief facts of the application is that Bhumikaben Mehulbhai Thakar expired on 14/02/2025 and present applicant is heir of the said deceased. Deceased had passed away without making any will or testament in respect of her immovable property. Applicant has not filed any application before any other

court for obtaining Heirship Certificate of the deceased Bhumikaben Mehulbhai Thakar. And applicant has preferred this application to obtain Heirship Certificate under provisions of **The Bombay Regulation Act**, in respect of the immovable property of deceased as mentioned in Schedule attached with this application with Exh. 1 .

[2] Now after considering the application, it appears that a public notice inviting objection to the grant of Heirship Certificate published in daily newspaper 'Aajkaal' on 28/03/2026 and the copy of said newspaper is produced on record vide Ex. 13 and after that in response to the publication of the said notice, no one has appeared to file any objection. Further applicant has produced the following documentary evidence in support of his application:-

<u>Sr.No</u>	<u>Documents</u>	<u>Exh.</u>
1.	Death Certificate of the deceased	5
2.	Registered sale deed document	6
3.	Valuation report	7
4.	Aadhar card of legal heir	8
5.	Consent affidavit	10
6.	Final affidavit	11

7.	Consent affidavit	12
8.	Public notice in the newspaper	13
9.	Tax bill	14
10.	Pedigree	16
11.	Closing purshish	17

[3] No one appeared to file any objection in response to the publication of notice in daily newspaper as discussed above. In the present case, the applicant has sought to obtain the Heirship Certificate of the immovable property of the deceased in view of the **Bombay Regulation VIII of 1827**, which provides for the heirship certificate to declare the property of the inheritor as the rightful heir of the deceased who died in intestacy.

[4] Now after considering the application and affidavits and documents filed by the applicant it appears that other heirs of deceased have given their consent for issuing Heirship Certificate in favour of the applicant. Therefore, taking into consideration, all above affidavits and documents, it is clear that no objections or any dispute will be raised by any heirs when order is passed by this Court to issue heirship certificate to the applicant. Therefore in view of above discussion, there is no reason to disbelieve the

version of the applicant. Thus, applicant is rightful to get heirship certificate in respect of immovable property of the said deceased.

Therefore after considering the application and supporting documents and affidavits it appears that applicant is rightful heir and applicant is entitled to get heirship certificate of the deceased and therefore following order is passed:-

-: **ORDER** :-

[1] The present application is hereby granted.

[2] The value of the above property is considered as per the valuation report. Therefore, this certificate is accordingly issued on the court-fees stamps of requisite amount, it being the court-fees payable on the value of the above property as per **Bombay Regulation VIII of 1827** and the applicant is declared as legal heir with respect to 50% undivided share in the property as per the schedule filed with this application of deceased Bhumikaben Mehulbhai Thakar.

[3] The current market value of the property subject to the application as stated in Section 29 of the Gujarat Court Fees Act, 2004 order to pay the court fee as per Article 10 of the First

Schedule on cost basis. Accordingly, the order for issue of heirship certificate is issued.

[4] The above order is given only in respect of the acknowledgment of heir and is not given to determine the right, title, interest or partition of any of the parties so that the above order will not be binding/affecting any proceedings for any existing law or for determination of right, title, interest or share.

Pronounced and signed today on this 08th day of May,
2026 in the open Court.

Place :- Rajkot (Mohamedmaksud Mohamediqbal Shaikh)

Date :- 08/05/2026 16th Additional Senior Civil Judge

Rajkot

UIC No. GJ01294