

MHST020006152026



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 Duration : 00Y 03M 20D

IN THE COURT OF CIVIL JUDGE, S.D., SATARA.
(Presided over by J.C. Dhengale)

Civil M.A(Succession) NO.42/2026.**Exh. No.**

1. **Sou Chhaya Balkrushna Shinde,**
 Age: 51 Yrs., Occu.:--
 R/o. Sangam Mahuli,
 Kshetra Mahuli, 415003
 Tal. and Dist,- Satara.
2. **Sou Sarika Jayant Taware,**
 Age: 41 Yrs., Occu.:--
 R/o. Grampanchayat,
 Targaon-415107
3. **Sou Sarita Jitendra Pawar,**
 Age: 41 Yrs., Occu.:--
 R/o. Saspade Satara,
 Saspade 415519
4. **Sou Komal Sandeep Raut,**
 Age: 37 Yrs., Occu.:--
 R/o. Blis cost, 'E' wing, plot No.401,
 Jambhuwadi raod, Lipane Vasti,
 Ambegaon Khurd, Pune City Post
 Katraj, Dist.-Pune 411006

...Applicants**VERSUS**

Nobody

...Opponent

Claim: Application for issuance of succession certificate.

Smt. M.G.Vaidya, learned Adv. for the applicant

ORDER
(Delivered on 06.08.2026)

This is an application moved by applicant for issuance of Succession Certificate under 372 of Indian Succession Act.

Facts in brief:

2. Applicants No.1 to 4 claim to be the sister of deceased Gajendra Narayan Shivdas. The averments made in the application reveals that the said deceased has died at Apshinge, Dist.Satara on 14.05.2025. Thus, the applicants is the surviving legal heirs of deceased Gajendra.

3. Deceased Gajendra during his life time created some movable assets out of his own income, which are as follows.

Sr.no.	Particulars	Amount.
1.	Post Office, Tapal Jeevan Insurance Policy, Branch Satara Policy No.R-MH-EA-1901631	Rs.50,000/-
2.	Post Office, Tapal Jeevan Insurance Policy, Branch Satara Policy No.R-MH-EA-1901622	Rs.50,000/-
3.	Life Insurance corporation of India branch Satara Policy No.944065821	Rs.3,15,000/-
4.	Post Office, branch Apshinge, Dist.-Satara Saving A/C No.5652373320	Rs.5,09,323/-
	Total amount	Rs.9,24,323/-

4. It is the contention of applicants that they have the only successor of deceased Gajendra and entitled for the above amount.

Therefore, she request to grant succession certificate in her favour.

5. On receipt of this application a proclamation and citation was issued inviting all persons who dispute the right of the applicant to appear in the Court within one month from the date of proclamation and declaring that if no objection is offered the court will proceed to receive proof of the right of the applicant and if satisfied grant them a succession certificate.

6. It is well settled position of law that the certificate confers no right to the movable or immovable property, but only indicates the person who, for the time being, is in the legal management thereof and the granting of such certificate shall not finally determine nor injure the rights of any person and the certificate may be annulled by the Court upon proof that another person has a preferable right.

7. Actually when a person dies leaving behind him property, movable or immovable, his heirs may assume their rights over the property in conformity with the law in existence at the relevant time. Thus, the grant of succession certificate does not establish right of such party in the property of the deceased by itself.

8. In the instant case, in proof of the fact that applicants are the successor of the deceased, they have adduced documentary evidence in the shape of death certificate of Gajendra Narayan Shivdas (Exh.14), death certificate of Narayan Mahipati Shivdas (Exh.15), death certificate of Phulabai Narayan Shivdas (Exh.16), copy of power of attorney, verified copies of insurance policies and of Post Office policy(Exh.17 to 21) and verified copies of Adharcards of applicants No.1 to 4, certified copy of H.M.PNo.322/2017, paper notice published in the news paper 'Dainik Pudhari' (Exh.8/1) and proclamation (Exh.09). Apart it, the applicant No.1 Chhaya has examined her on oath below Exh.13.

9. On perusal of record of the case it reveals that the proclamation was duly published and at the expiration of the time mentioned in the proclamation no objection was offered by any person.

10. On perusal of death certificate it reveals that the deceased has died on 14.05.2025 at Apshinge, Dist. Satara and therefore the relief sought is well within the jurisdiction of this court.

11. Furthermore, the above evidence sufficiently shows that applicant is the successor of deceased Gajendra Narayan Shivdas. Apart it, the applicant No.1 has reiterated the said fact on oath in her evidence and her testimony has gone unchallenged and therefore there is no reason to discard her testimony. As such applicant has sufficiently proved that applicants No.1 to 4 are the legal heir of deceased Gajendra and beneficiary to receive the amounts mentioned above.

12. In the backdrop of aforesaid legal position and to the evidence above the application therefore needs to be allowed. Hence, order.

:-ORDER:-

1. Application is allowed.
2. It is declared that applicant No.1 Sou Chhaya Balkrushna Shinde, applicant No.2 Sou Sarika Jayant Taware, applicant No.3 Sou Sarita Jitendra Pawar and applicant No.4 Sou Komal Sandeep Raut are the rightful successor of deceased Gajendra Narayan Shivdas and beneficiaries to realize the amounts mentioned above.
3. Issue succession certificate accordingly on payment of requisite stamp duty.

Date : 06.08.2026

(J.C. Dhengale)
Civil Judge S.D., Satara.
