



**In the Court of 8th Additional Civil Judge
& JMFC,
At: RAJKOT**

**Civil Misc. Application No. 2863/2025
Exh. No.**

Applicants:

1. Dhandhukiya Jitendrabhai Mansukhbhai

Aged 57 yrs, Occu- Business,

R/o. Sandesh Press Street,
Sadar Bajar, Rajkot.

2. Dhandhukiya Ketanbhai Mansukhbhai

Aged 45 yrs, Occu- Business,

R/o. Sandesh Press Street,
Sadar Bajar, Rajkot.

Sub. :- Application for Heirship Certificate.

Mr. A. S. Cholera, Learned Advocate for the applicants.

:-: ORDER :-:

[1] Brief facts of the application is that Shantaben Mansukhbhai Dhandhukiya expired on 17/04/2021 and present applicants are heirs of the said deceased. Deceased had passed away without making any will or testament in respect of her

immovable property. Applicants had not filed any application before any other court for obtaining Heirship Certificate of the deceased Shantaben Mansukhbhai Dhandhukiya. And applicants have preferred an application to obtain Heirship Certificate under the 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] Pursuant to present application, it appears that a public notice inviting objection to the grant of Heirship Certificate published in daily newspaper 'Akila' on 06/01/2026 and the copy of said newspaper is produced on record vide Ex. 10. And in response to the publication of the said notice, no one has appeared to file any objection.

[3] The applicants have also produced the following documentary evidence in support of their application:

<u>Sr. No</u>	<u>Documents</u>	<u>Exh.</u>
1.	Death Certificate of the deceased	7
2.	Registered sale deed document	8
3.	Pedigree	9
4.	Public notice in the newspaper	10

5.	Letter of City Survey Superintendent Office no. 3	11
6.	Consent affidavit	12, 13
7.	Final affidavit	14, 15
8.	Closing purshish	16

[4] 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 applicants have 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 heirs of the deceased who died in intestacy.

[5] Pursuing the present application and affidavits and documents filed by the applicants it appears that other heirs of deceased have given their consent for issuing Heirship Certificate in favour of the applicants. 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 applicants. Therefore in view of above discussion, there is no reason to disbelieve the version of the applicants. Thus, applicants are rightful to get

heirship certificate in respect of immovable property of the said deceased.

Additionally, in view of the law laid down by Hon'ble Apex Court and Hon'ble High Court, present applicants are entitled to get heirship certificate of the said immovable property. Hence, taking into consideration all the facts and circumstances, this Court passed following order.

-: **ORDER** :-

[1] The present application is hereby granted.

[2] The value of the above property is considered maximum. Therefore, this certificate is accordingly issued on the court-fees stamps of Rs. 75,000/-, it being the maximum court-fees payable on the value of the above property as per **Bombay Regulation VIII of 1827** and the applicants are declared as legal heirs with respect to immovable property as per the schedule filed with this application of deceased Shantaben Mansukhbhai Dhandhukiya.

[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 acknowledgement of heir and is not given to determine the title, right, interest or partion 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 23rd day of April,
2026 in the open Court.

Place :- Rajkot
Date :- 23/04/2026

(M. D. JADAV)
8th Additional Civil Judge
& JMFC, Rajkot
UIC No. GJ01746