

KADW200003112026



IN THE COURT OF THE I ADDITIONAL SENIOR CIVIL  
JUDGE, HUBBALLI

*Present:*

SMT. SARVAMANGALA K.M.,

B.A. LL.B.,

*I Addl. Senior Civil Judge & J.M.F.C., Hubballi.*

P & Sc. No.03/2026

Dated this the 24<sup>th</sup> day March, 2026

*Petitioner/s :* Hareesh S/o Sadanand  
Marathe, Age: 55 years,  
Occ:Business, R/o. House  
No.4 Sampada, Vijay Nagar,  
Hubballi.

*(By Smt. Pratima S. Joshi, Adv.,)*

**Vs.**

*Respondent/s:* 1. Smt. Asha W/o Gangaprasad  
Sovani, Age:55 years,  
Occ:Housewife, R/o.C-1/7, Shiv  
Vilas Off S.B. Road, 103,  
Bahiratwadi, Model Colony,  
Pune, Maharashtra -411 016.

2. Smt. Varsha W/o Abhijit  
Athawale, Age:53 years,  
Occ:Housewife, R/o. Flat  
No.503, Silver Oak Society, Right  
Bhusari Colony, Paud Road,  
Near New India School, Kothrud,  
Pune, Maharashtra-411 038.

3. Smt. Archana W/o Rahul  
Gogate, Age:49 years,  
Occ:Housewife, R/o.Sanket  
Apartment, 2<sup>nd</sup> Floor, 2123,



*Sadashiv Peth, Behind Hotel  
Kaveri, Vijaynagar Colony,  
Pune, Maharashtra- 411 030.*

*(By Sri. R.R.K., Advocate)*

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### **ORDERS**

*This petition is filed by the petitioner under Sec.8(ii) of the Hindu Succession Act, 1956 and under Sec.372 of the Indian Succession Act, 1925 seeking to issue Succession Certificate in respect of the petition schedule shares held in the name of the deceased.*

*2. The case of the petitioner in brief is that:*

*Description of the shares:*

| <i>Sl. No.</i> | <i>Name of the Company</i> | <i>Folio Distinctive Nos.</i>     | <i>Certificate Total No. of shares</i> | <i>Face Value</i> |
|----------------|----------------------------|-----------------------------------|----------------------------------------|-------------------|
| <i>1.</i>      | <i>Paushak Limited</i>     | <i>U01 1157905 030 to 1158904</i> | <i>3197 1000</i>                       | <i>Rs.10/-</i>    |

*The mother of the petitioner by name Smt. Uma W/o Sadanand Marathe has expired on 27.07.2019 at City Clinic, Hubli-Dharwad. The petitioner's father by name Sri. Sadanand Marathe has also expired on 29.10.2009. Late. Uma W/o Sadanand Marathe and her husband Sri. Sadanand Marathe were persons of vision, they*



*lived a simple life. They both did not believe in unnecessary consumption. Being smart with their money, they invested all their savings with the help of financial advisors in Financial and money markets. Late. Uma W/o Sadanand Marathe had invested in shares in her name. The shares are described in the above referred paragraph No.1A of the respective company. Respondent No.1 to 3 are the married daughters of Late. Sadanand Marathe and Smt. Uma W/o Sadanand Marathe. The petitioner and respondents are the only class-I heirs of Smt. Uma W/o Sadanand Marathe. Except the petitioner and respondents there are no other legal heirs left by the deceased Late. Uma S/o Sadanand Marathe after her. It is further submitted that the petitioner is seeking to apply for the transfer of all the shares, standing in the name of Late. Uma W/o Sadanand Marathe in his name. Hence, the petitioner constrained to file this petition and prayed to allow the petition.*



3. The citation was issued calling upon the objection from respondents in 'Vijayavani', Kannada Morning daily dated:04.03.2026 and after publishing the petition notice, the respondents appeared before the Court and filed no objections to grant succession certificate and contended that the mother of the petitioner and respondents i.e., Late. Uma W/o Sadanand Marathe expired on 27.07.2019 and she possessed certain share certificates in her name which were all purchased by petitioner and respondent's father Late. Shri. Sadanand Marathe. After the parents death the petitioner and respondents, are the only class-I heirs of Late. Uma W/o Sadanand Marathe, except the petitioner and respondents there are no other legal heirs of Late. Uma W/o Sadanand Marathe. It is further submitted that the respondent No.1 to 3 have no objection for grant of succession certificate in favour of petitioner alone. Respondent No.1 to 3 prayed to this Court that there will not be any loss or hardship faced



*by respondents if succession certificate is granted in favour of petitioner alone in respect of shares described in the petition.*

*4. The petitioner examined himself as PW-1 and got marked Exs.P.01 to P.06 and closed his side.*

*5. Heard arguments.*

*6. The points that arise for consideration are as follows:-*

*1. Whether the petitioner is entitled for succession certificate as prayed for ?*

*2. What order?*

*7. The findings on the above points are as follows:-*

*Point No.1 : In the affirmative,*

*Point No.2 : As per the final order,  
for the following:-*

### **REASONS**

*8. **Point No.1:** According to the petitioners, the mother of the petitioner by name Smt. Uma W/o Sadanand Marathe has expired on 27.07.2019 at City*



*Clinic, Hubli-Dharwad. The petitioner's father by name Sri. Sadanand Marathe has also expired on 29.10.2009. Late. Uma W/o Sadanand Marathe and her husband Sri. Sadanand Marathe were persons of vision, they lived a simple life. They both did not believe in unnecessary consumption. Being smart with their money, they invested all their savings with the help of financial advisors in Financial and money markets. Late. Uma W/o Sadanand Marathe had invested in shares in her name. The shares are described in the above referred paragraph No.1A of the respective company. Respondent No.1 to 3 are the married daughters of Late. Sadanand Marathe and Smt. Uma W/o Sadanand Marathe. The petitioner and respondents are the only class-I heirs of Smt. Uma W/o Sadanand Marathe. Except the petitioner and respondents there are no other legal heirs left by the deceased Late. Uma S/o Sadanand Marathe after her. It is further submitted that the petitioner is seeking to*



*apply for the transfer of all the shares, standing in the name of Late. Uma W/o Sadanand Marathe in his name.*

*9. In order to prove their contentions, petitioner got examined as PW.1 and also got marked documents as Ex.P.1 to P.6. Ex.P.1 and P.2 are the death certificates of Uma Sadanand Marathe and Sadanand Marathe, which discloses that they died on 27.07.2019 and 29.10.2009. Ex.P.3 is the surviving family members certificate, which discloses that the petitioner and respondents are the legal heirs of Uma W/o Sadanand Marathe. Ex.P.4 is the Letter dated: 25.08.2025 issued by Paushak Limited. Ex.P.5 is the Lost Article Report. Ex.P.6 is the Aadhaar card of the petitioner.*

*10. This Court has gone through all the documents produced by the petitioner and the examination in chief. It is noticed to the Court that, the petitioner and respondents are the children of deceased Smt. Uma W/o*



*Sadanand Marathe breathed her last on 27.07.2019.*

*The deceased Smt. Uma W/o Sadanand Marathe had invested in shares in Paushak Limited. The total number of the said shares comes 1000, but as per the contention of the petitioner, petitioner approached to the concerned company seeking shares of deceased Smt. Uma W/o Sadanand Marathe, but they directed to bring Succession certificate from competent Court of law.*

*11. Further on go through the documents it is noticed to the Court that, the petitioner and respondents are the children of the deceased. The husband of the deceased also died, in this aspect he filed copy of death certificate, said documents are clearly depicts that the petitioner and respondents are the successors of the deceased Smt. Uma W/o Sadanand Marathe, hence if the said certificate is ordered in favour of the petitioner no hardship will be cause to any one, more over there is no rival claimants in the present case on hand, hence this Court is of the opinion that, the petition is to be*





allowed. Accordingly, the **point No.1 is answered in the affirmative.**

12. **Point No.2:** In view of findings on point No.1, this Court proceeds to pass the following:-

**ORDER**

*The petition filed by the petitioners under Sec.8(ii) of the Hindu Succession Act, 1956 and under Sec.372 of the Indian Succession Act, 1925 is hereby allowed.*

*The petitioner is successor of deceased Smt. Uma W/o Sadanand Marathe.*

*Issue Succession Certificate accordingly, after petitioner pay the requisite court fee, as per law.*

*This petition stands disposed off accordingly.*

*(Dictated to the Stenographer directly on computer, script corrected and then pronounced by me in the Open Court on this the **24<sup>th</sup> day of March, 2026**)*

*(Smt. Sarvamangala K.M.)  
I Addl. Senior Civil Judge & J.M.F.C.,  
Hubballi.*



**ANNEXURE**

List of witnesses examined for the Petitioner/s:

P.W.1 : Hareesh S/o Sadanand Marathe.

List of documents exhibited for the Petitioner/s:

Ex.P.1 & P.2 : Death Certificates.

Ex.P.3 : Surviving family members  
Certificate.

Ex.P.4 : Letter dated:25.08.2025.

Ex.P.5 : Lost Article Report.

Ex.P.6 : Aadhaar Card.

List of witnesses examined for the respondent/s:

NIL

List of documents exhibited for the Respondent/s:

NIL

(Smt. Sarvamangala K.M.)  
I Addl. Senior Civil Judge & J.M.F.C.,  
Hubballi.