

MHTH280006532026



Civil M.A./490/2026
Radha Krishna Yelgadi Vs. Sripriya Apparao Yelgadi & Ors.
ORDER BELOW EXH.1

This is an application filed by the applicants for grant of Heirship Certificate under Section 2 of the Bombay Regulation Act, VIII of 1827.

2. Concisely, it is contended that applicant is mother, opponent no.1 is wife opponent nos. 2 to 4 children of deceased Late **Apparao Krishna Yelgadi** (hereinafter referred as "the deceased"). The deceased died on 02/04/2021 at Flat No.303, E V Crystal, Sec-8, Koparkhairane, Navi Mumbai. The father of the deceased namely Krishna Appaya Yelgadi also died on 14/06/2015. Thus, there are no any legal heirs other than applicant and opponents to the deceased. Opponent no. 3 & 4 are minor daughter & son of the deceased, hence, on behalf of them opponent no.1, mother is appeared as legal guardian. The deceased left behind the following immovable property particularly described in the schedule of property with the application. The property is situated within the jurisdiction of this Court. The applicant has claimed the said property of the deceased. Hence, the applicant has filed the present application for issuance of heirship certificate.

SCHEDULE OF PROPERTY
1) Flat No.7-D/C/0:22, Chandralok Co-operative Housing Society Ltd., Admeasuring 37.200 Sq.Mtrs + 15.960 Sq. Mtrs., court Yard Area on the ground floor, In the Building No. 7-D, Situated at Sector-10, Koparkhairane, Navi Mumbai, Tal & Dist. Thane. The Purchase Value of the Apartment is 32,00,000/- (Thirty Two Lakhs Only).
2) Flat No. 7-C/D-1:28, Chandralok Co-operative Housing Society, admeasuring area of 40.28 Sq. Mtrs carpet area, Sector-10, Koparkhairane, Navi Mumbai. The Purchase Value of the Flat is Rs.6,14,000/- (Six Lakh Fourteen Thousand Only).

The applicant being mother, opponent no.1 being wife and opponent nos. 2 to 4 being children are entitled for Heirship Certificate to be issued in their name in respect of property mentioned in the schedule. The application is supported with an affidavit.

3. The proclamation (Exh.5) came to be published. Public notice (Exh.6) was published in daily newspaper "Global Times" dated 18/06/2026, but no one has appeared to contest the application. Heard Ld. Advocate for the applicant.

4. On hearing and perusal of oral as well as documentary evidence, following points arise for my determination and I record my findings thereon for the reasons stated below:

Sr. No.	Points	Findings
1)	Whether the applicant is entitled to get heirship certificate as prayed?	...Yes...

2) What Order ?

... Application
is allowed.

REASONS

POINT NO.1 :-

5. In support of the application, applicant and opponents have filed their claim affidavit (Exh.8, 10 & 11) and documents at List Exh.3 & 13.

1. Verified copy of death certificate of deceased Apparao.
2. Verified copy of death certificate of deceased Krishna.
3. Verified Copy of Deed of Assignment.
4. Verified Copy of property details.
5. Verified copy of Electricity Bill.
6. Copy of Identity Proof of parties.
7. Original copy of paper publication.

Evidence close pursis at Exh.15.

6. On perusal of pleadings, it appears that, applicant and opponents are only legal heirs of deceased. Nobody has come forward within one month and objected the claim of applicant for grant of Heirship Certificate. The evidence of applicant & opponents remained un-shattered. Thus, applicant and opponents are entitled to get Heirship Certificate in respect of property mentioned in the schedule. This Court does not find any impediment in granting the Heirship Certificate in the name of applicant and opponent nos. 1 to 4 for formally recognizing heirs of deceased. Hence, I answer point No.1 in the affirmative.

POINT No.2 :-

7. In view of finding on point no.1, the applicant and opponent nos. 1 to 4 are recognized as legal heirs of deceased and are entitled for Heirship Certificate. Consequently, for my answer on point No.2, I proceed to pass the following order :-

ORDER

1. Application is hereby allowed.
2. The applicant and opponent nos. 1 to 4 are hereby formally recognized as heirs of deceased **Apparao Krishna Yelgadi**. Issue Heirship Certificate in the name of the applicant in respect of the property mentioned in the schedule of property to put-forth claim for the deceased on payment of requisite Court fees.
3. The applicant and opponents are directed to produce authenticate current valuation report of immovable property and submit requisite stamp duty, as per such valuation.
(Dictated and pronounced in open Court.)

Belapur.
Date :- 07/08/2026

Sd/-
(A. A. Desai)
2nd Jt. Civil Judge S. D., Belapur.