



ORDER BELOW EXHIBIT 1

1. Perused the application. Heard learned counsel for the applicant. This application is filed by applicant for issuance of legal heirship certificate under Bombay Regulations Act, 1827.

2. It is the contention of the applicant that, applicant is the son of deceased Mahanmad @ Mohommad Attaullah Mahanmad @ Mohommad Hasan Tungekar. Mahanmad @ Mohommad Attaullah Mahanmad @ Mohommad Hasan Tungekar died on 22.04.2021. Applicant being heir want to record his name as heir of deceased Mahanmad @ Mohommad Attaullah Mahanmad @ Mohommad Hasan Tungekar. Hence, he prayed for grant of Heirship Certificate.

3. Perusal of record shows that the applicant Shri. Mahanmad @ Mohammad Hasan Mahanmad @ Mohammad Attaullah Tungekar (AW-1) has filed his affidavit for evidence at Exh-12 and deposed about death of his father Mahanmad @ Mohommad Attaullah Mahanmad @ Mohommad Hasan Tungekar. and he is the only legal heir of deceased Mahanmad @ Mohommad Attaullah Mahanmad @ Mohommad Hasan Tungekar.. It appears that the testimony of the applicant Shri. Mahanmad @ Mohammad Hasan Mahanmad @ Mohammad Attaullah Tungekar about death of his father Mahanmad @ Mohammad Hasan Mahanmad @ Mohammad Attaullah Tungekar is supported by death certificate at Exh.13. Verified copy of Ration card of the applicant is at Exh.14. Verified copy of Aadhar card of the applicant is at Exh.15. Death certificate of Shafira Begum Mohammad Ataullah Tungekar is at Exh.16. Exh.17 is the copy of newspaper i.e. 'Raigad Nagari' dated 05.12.2022 which shows

that the notice of application made by applicant have been issued through paper publication, but no one appeared from public at large in the case. Citation notice was also issued but no one has taken any objection. It appears that the application at Exh-01 for issuance of heirship certificate remained uncontested and unchallenged. In a proceedings for heirship certificate, the court is not required to determine title of the deceased to any property. It is required only to consider whether the persons claiming heirship certificate is/are the heirs of the deceased. Oral and documentary evidence produced by the applicants shows that they are the sole heir of deceased Mahanmad @ Mohommad Attaullah Mahanmad @ Mohommad Hasan Tungekar. Therefore, it would be desirable to issue legal heirship certificate in favour of applicant. Hence, I proceed to pass following order:-

ORDER

- i. Present application is allowed.
- ii. The applicant is directed to furnish necessary Court Fee Stamps in terms of provisions of Bombay Court Fees Act 1870, within 30 days from the date of this order, if required.
- iii. It is hereby directed that Heirship Certificate be issued to applicant **Mahanmad @ Mohammad Hasan Mahanmad @ Mohammad Attaullah Tungekar** as legal heir of deceased **Mahanmad @ Mohommad Attaullah Mahanmad @ Mohommad Hasan Tungekar**.
- iv. Present application is disposed off accordingly.

Sd/-

Uran,
Date: 20.02.2026

(M. S. Quazi)
Civil Judge (J.D.), Uran.