

IN THE COURT OF 2nd Jt. CIVIL JUDGE, JUNIOR DIVISION, LOHA. (Presided over by <u>V. M. Gaikwad</u>)	
MHND190014722022 	<u>Civil M.A./179/2022</u> Nandiram S/o. Raosaheb Jadhav and etc. 1 Vs. Nil

ORDER BELOW (EXH. No.1)

(Passed on 25/11/2022)

This is an application filed for grant of Legal Heir Certificate under The Bombay Regulation Act VIII of 1827.

2] The present application has moved by the applicant Nos. 01. Nandiram S/o Raosaheb Jadhav and 02. Sow. Anusaya W/o Maroti Hambarde to obtain formal recognition as legal heir of deceased namely Raosaheb S/o Devrao Jadhav who died on 16/08/2022 and Dhrupatbai W/o Raosaheb Jadhav who died on 17/12/2021. The applicant No. 01 and 02 are son and daughter of both deceased namely Raosaheb S/o Devrao Jadhav and Dhrupatbai W/o Raosaheb Jadhav.

3] The applicant No. 01 adduced his evidence vide (**Exh.10**). To support his contention, he filed on record copy of death certificate of deceased Raosaheb at (**Exh.11**) and deceased Dhrupatbai at (**Exh.12**), copy of heir certificate of deceased Raosaheb at (**Exh.13**) and copy of heir certificate of deceased Dhrupatbai at (**Exh.14**), The proclamation was issued in daily local news paper "Dainik Shramik Ekjut" dated 15/10/2022 to call for objections if any for the said application at (**Exh.09**). Thereafter, the applicants closed their evidence vide (**Exh.15**).

4] Heard submissions of learned advocate for applicants. On perusal of the documents placed on record and evidence on affidavit of applicant Nos. 01 prima-facie it seems that, applicants are legal heirs of deceased namely Raosaheb

S/o Devrao Jadhav and Dhrupatbai W/o Raosaheb Jadhav. The applicants sought legal heir certificate for some private and official purposes.

5] In spite of proclamation in daily newspaper circulated in the locality wherein the applicants are residing, nobody resisted the application. Hence, the application proceeded uncontested. The evidence of applicants remained unchallenged throughout the proceedings. According to Section-08 of The Hindu Succession Act, 1956, the property of a male Hindu dying intestate shall devolve firstly upon sons, daughters including his wife alongwith son of pre-deceased son and widow of pre-deceased son. Thus, I do not find any difficulty in formally recognizing applicants as legal heirs of deceased Raosaheb S/o Devrao Jadhav and Dhrupatbai W/o Raosaheb Jadhav.

6] It is specifically stated that, this is a formal declaration of applicants being legal heir of deceased Raosaheb S/o Devrao Jadhav and Dhrupatbai W/o Raosaheb Jadhav and no any right, title or interest is accrued to the applicant from the said declaration. Accordingly, I pass the following order :-

: O R D E R :

1. The application (Exh. 01) is hereby allowed.
2. The applicant Nos. 01. Nandiram S/o Raosaheb Jadhav and 02. Sow. Anusaya W/o Maroti Hambarde are hereby formally recognized as legal heirs of deceased **Raosaheb S/o Devrao Jadhav** and **Dhrupatbai W/o Raosaheb Jadhav**.
3. Issue legal heir certificate to the applicant on payment of requisite stamp and court fees.

Date : 25/11/2022.

(**V. M. Gaikwad**)

Loha.

2nd Jt. Civil Judge, Jr. Dn. Loha.