ORDER BELOW EXH.01.
(Passed on 10.01.2023)

1. The present application is filed by the applicants for grant of the heirship certificate.

2. In short, it is the contention of the applicants that, applicant no.1 is wife, applicant no.2 and 6 are sons and applicant no. 3 to 5 are daughters of deceased **Madhukarrao s/o Bapurao Patil** who had died on **06/01/2021**, leaving behind him, the applicants as legal heirs. There is no other legal heir of said deceased except the applicants. Now, the applicants need heirship certificate only for former recognition of heirs of deceased. Lastly, they prayed to allow the application.

3. The applicant has produced the documents i.e. original copy of death certificate of **Madhukarrao s/o Bapurao Patil (Exh.15)** verified copy of Adhar card of applicants no. 1 to 6 vide **(Exh. 16 to 21)** along with list of document at **(Exh.12.)** original heirship certificate issued by Sarpanch Garam Panchayat Khatgaon **(Exh.14).**

4. A public notice was issued in daily newspaper "Godatir Samachar" dated 17/11/2022 **(Exh.13)**, for calling objections against claim of the applicants for grant of heirship certificate. Nobody appeared and not resisted claim of the applicants. Applicant no.1 has filed affidavit of examination-in-chief vide **(Exh.10)** for applicants and closed oral evidence vide pursis at **(Exh.22)** The claim of the applicants is well supported by affidavit of applicant which remains intact.

5. Perused the record. It appears that, the applicants are legal heirs of deceased **Madhukarrao s/o Bapurao Patil.** Therefore, applicants are entitled to get the heirship certificate as per Sec.3 of the Bombay Regulation Act. Grant of such certificate is only formal

recognition of his existing status as an heir. In the facts and circumstances of the case in hand nobody appeared to challenge the contentions of the applicants. So, their contentions are that applicants are only legal heirs of deceased **Madhukarrao s/o Bapurao Patil** remain unchallenged. Therefore, considering all these aspects, I have no hesitation to accepts the contentions of the applicants. Applicants are entitled to get the heirship certificate of their father only as formal recognition. Grant of this heirship certificate shall not be used for the mutation and other purposes with regard to the property of deceased. Hence, I proceed to pass the following order :

O R D E R

1) Application is allowed as follows.

2) Issue Heirship Certificate in favour of the applicants in the form contended in appendix-B, on required Court Fees.

3) Grant of this heirship certificate shall not affect title of the property of deceased.

4) Application is disposed of accordingly.

DISTRICT COURTS MAHARASHTRA
Digitally signed by SHAHABUDDIN GHOUSEMOHIUDDIN THANEDAR
Date: 2023.01.11 11:17:15 +0530

(S.G. Thanedar)
2nd Jt. Civil Judge, Junior Division,
Biloli.

Date 10/01/2023.
Place : Biloli

CERTIFICATE

I affirm that the contents of this P.D.F. File Judgment are same word to word, as per the original Judgment.

Name of Jr.Clerk : Rathod D.G.

Court Name : 2nd Judicial Magistrate F.C., Biloli.

Date : 10/01/2023.

Judgment signed by

Presiding Officer on : 10/01/2023.

Judgment uploaded on : 11/01/2023.