

ORDER BELOW EXH.01 IN CIVIL MISC. APPLICATION NO.38/2026

This is an application is filed for obtaining the heirship certificate as per the provisions of Section VIII(2) of Bombay Regulation Act.

2. The applicant submitted that, the applicant No. 1 is the mother of applicant No. 2 to 6. The husband of applicant No. 1 namely Vitthal Kisan Kakade was died on 27/07/2025 at Chohatta Bazar, tq. Akot, dist. Akola. The mother of the deceased namely Annapurna Kisan Kakade was died long ago. The deceased did not having any legal heirs except the applicants. The applicants needs heirship certificate to submit before government, semi government offices. Therefore, prays to issue heirship certificate in their favour.

3. The applicant has made publication in daily news paper 'Dainik Sairan' dtd. 21/02/2026 and also made publication of citation notice inviting thereby the objections from the public at large with regard to issuance of heirship certificate. The copy of paper publication and report of citation notice is on record. However, no objections has been received during given period. Thus, the application remained uncontested. In support of application, the applicant No.3 have examined himself at Exh.9 and witness Vaibhav Panjab Aadhe at Exh. 10. The applicant have produced death certificate of her husband, and copies of Aadhar Card of applicants.

The applicant No.1 is widow and applicant No. 2 to 6 are son & daughter of the deceased. The mother of the deceased is dead. Therefore, the applicant are appears to be legal heirs of the deceased.

4. It is to be noted that, the Court of Civil Judge, Junior Division is only empowered to issue heirship certificate in uncontentionous matters and subject to its pecuniary jurisdiction only. In the present matter, the applicant claims heirship certificate to submit before government, semi government offices. It is settled principle laid down in various judgment of Hon'ble Bombay High Court that the certificate can be issued for purpose submitting before government, semi government offices. Therefore, in this matter the valuation of the application cannot be made in terms of money. Even it appears from the death certificate that the deceased were permanent resident of Chohatta Bazar, Tal. Akot, Dist. Akola. Therefore, it appears that, the present application is within the pecuniary and territorial jurisdiction of this Court. None other than applicants have made claim for heirship certificate. Hence, there is no hesitation to allow the application as prayed for, subject to the payment of necessary Court fees. Therefore, following order is passed :-

ORDER

1. Application is allowed.

2. Heirship certificate under Section VIII of Bombay Regulation Act,1827 be issued in favour of applicants as legal heir of deceased Vitthal Kisan Kakade to submit before government, semi government offices.
3. Said certificate be issued subject to the payment of necessary Court fees by the applicant.

Date:- 20/04/2026.

(A.H.Shaikh)
**Jt. Civil Judge, Junior Division,
Akot.**

CERTIFICATE

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

Name of Steno	: R. C. Bajpai
Name of Court	: Shri. A. H. Shaikh Jt. Civil Judge, J. D., Akot.
Date of Order	: 20/04/2026.
Order signed by P.O. on	: 20/04/2026.
Order uploaded on	: 20/04/2026.