



Civil M.A. 76/2026
Mahendrasingh Thakur
& Ors. Vs. Nil
MHAK060010292026

ORDER
(Below Exh.01)
(Passed on 10th August, 2026)

This is an application u/s. 2 of the Bombay Regulation VIII of 1827 to recognize applicants as legal heirs of deceased **Tarabai w/o Ramsingh Thakur**.

2. It is submitted by Ld. Advocate on behalf of applicants that applicant No. 1 to 4 are son and daughters, applicant No. 5 is daughter-in-law and applicant No. 6 to 9 are grand-sons and grand-daughters of deceased Tarabai w/o Ramsingh Thakur who passed away on 25.04.2012 at village Incha, Tq. and Dist. Hingoli and her husband namely Ramsingh s/o Tulshiramsingh Thakur has passed away on 18.12.2009 at village Keliveli, Tq. Akot, Dist. Akola.

3. It is further submitted that mother of deceased Ramsingh i.e. mother-in-law of deceased Tarabai namely Khunabai w/o Tulshiramsingh Thakur is pre-deceased to Ramsingh.

4. It is further submitted that one unmarried son of deceased Tarabai namely Rajendrasingh s/o Ramsingh

Thakur has passed away on 06.12.2011 at village Incha, Tq. and Dist. Hingoli as well as deceased Tarabai's another son namely Premsingh s/o Ramsingh Thakur has passed away on 04.03.2010 at Washim, Tq. and Dist. Washim. Therefore, deceased Tarabai w/o Ramsingh Thakur has no other legal heirs except the applicants.

5. It is further submitted that applicants are in need of formal certificate recognizing them as legal heirs of the deceased Tarabai w/o Ramsingh Thakur for governmental and semi-governmental and other similar purposes. Hence, it is prayed that the applicants be accordingly recognized as legal heirs and Certificate in that regard may kindly be issued.

6. Considering the nature of the application Notice (Exh.6) dated 09.03.2026 through citation was published on conspicuous part of the Court house and house of the deceased and also on Notice Board of the concerned Gram Panchayat and Tehsil Office. So also, proclamation was published in daily news paper of jurisdiction of this Court namely 'Hindusthan' dated 11.03.2026 to invite objections from the public at large.

7. Heard learned Advocate for the applicants at length. Perused the record and considered the submissions.

8. In order to determine the application, following points arise to which I have recorded my findings thereon for the reasons given here-in-below ;

Sr. No.	Points	Findings
(1)	Do the applicants prove that they are legal heirs of deceased Tarabai w/o Ramsingh Thakur ?	...Yes...
(2)	Whether the applicants are entitled for heirship certificate as prayed ?	...Yes...
(3)	What order ?	Application is allowed

9. In order to maintain their claim, the applicants examined Gopalsingh s/o Premsingh Thakur (Applicant No.6) as AW-1 and one Rajaram s/o Jayshreeram Angre (Neighbour of the applicants) as AW-2 by filing affidavits in lieu of their examinations-in-chief below **Exh. 9 & 10**. The applicants closed their evidence vide *Pursis* below Exh.11. In addition to the oral evidence, the applicants have relied upon following documentary evidence;

- (1) Original Death Certificate of Tarabai w/o Ramsingh Thakur. (Exh.12)
- (2) Original Death Certificate of Premsingh s/o Ramsingh Thakur. (Exh.13)
- (3) Original Death Certificate of Rajendrasingh s/o Ramsingh Thakur. (Exh.14)
- (4) Original Death Certificate of Ramsingh s/o Tulshiram Thakur. (Exh.24)

- (5) Verified copies of Aadhar Cards of the applicants. (Exh.15 to 23)
- (6) Issue of daily News Paper 'Hindusthan' dated 11.03.2026. (Exh.26)

10. As mentioned above, there is no rival side nor despite of proclamation at Exh.26, rival evidence as nobody preferred objection by the public at large on record till the date.

REASONS

As to point No. 1 to 3 :-

11. Perusal of evidence affidavit of Gopalsingh (AW-1) reveals that it is nothing but replica of substantive application below Exh.1. Gopalsingh (AW-1) deposed on oath that his grand-mother Tarabai w/o Ramsingh Thakur has passed away on 25.04.2012 at village Incha, Tq. and Dist. Hingoli and his grand-father Ramsingh s/o Tulshiramsingh Thakur on 18.12.2009 at village Keliveli, Tq. Akot, Dist. Akola. He further deposed that applicant No. 1 to 4 are son and daughters, applicant No. 5 is daughter-in-law i.e. his mother and applicant No. 7 to 9 are grand-sons and grand-daughters of deceased Tarabai w/o Ramsingh Thakur and Ramsingh s/o Tulshiramsingh Thakur. He further deposed that his father namely Premsingh and his unmarried uncle namely Rajendrasingh i.e. sons of deceased Tarabai w/o Ramsingh Thakur and Ramsingh s/o Tulshiramsingh Thakur have died respectively

on 08.03.2010 and 06.12.2011. He further deposed that his great-grand-mother i.e. mother-in-law of deceased Tarabai is pre-deceased to his grand-father Ramsingh and Tarabai. Therefore, deceased Tarabai w/o Ramsingh Thakur has no other legal heirs except the applicants. He further deposed that deceased Tarabai was permanent resident of village Keliveli situated within the jurisdiction of this Court and her last rites are also performed at the same village.

12. Rajaram (AW-2) has deposed in corroboration with Gopalsingh (AW-1) with regard to the demise of Tarabai, Ramsingh, Premsingh, Rajendrasingh and the legal heirs left behind by deceased Tarabai. Rajaram (AW-2) further deposed on oath that deceased Tarabai was permanent resident of village Keliveli situated within the jurisdiction of this Court and her last rites are also performed at the same village.

13. There being no other side and also no objection from the public at large, the testimonies of Gopalsingh (AW-1) and Rajaram (AW-2) remained intact and unchallenged.

14. The Death Certificates (Exh.12 to 14 and 24) are consistent with the testimonies of the witnesses with regard to death of Tarabai, Ramsingh, Premsingh, and Rajendrasingh. The Death Certificate (Exh.12) reveals that the deceased Tarabai was permanent resident of village

Keliveli, Tq. Akot, Dist. Akola though she appears to have died at village Incha situated within Hingoli District. It is deposed on oath that by the witnesses that Tarabai was permanent resident of village Keliveli, Tq. Akot, Dist. Akola. Therefore, this Court has jurisdiction to grant Heirship Certificate as prayed.

15. It is significant to note that despite of Citation Notice (Exh.6) and Proclamation (Exh.26), nobody from the public at large has taken objection to disbelieve the facts stated and deposed by the applicants. In such circumstances, there being no contrary evidence and there is no reason to disbelieve that deceased Tarabai w/o Ramsingh Thakur has no legal heirs except the applicants.

16. Besides, the applicant No. 1 to 9 appears to be the legal heirs of deceased Tarabai. Considering overall material and evidence on record, the application needs to be allowed. Hence, I answer Point No. 1 and 2 in the affirmative and in answer to point No. 3, pass the following order ;

ORDER

- 1) The application is allowed.
- 2) Issue Heirship Certificate in prescribed format on payment of Court fee, if any, recognizing applicants No. 1 to 9 as legal heirs of deceased **Tarabai w/o Ramsingh Thakur** who passed away

on 25.04.2012 at village Incha, Tq. and Dist. Akola.

- 3) The Certificate be appended with note contained in Para. 312 of The Civil Manual and the applicants shall act accordingly.

(Dictated and Pronounced in open Court)

Sd/-

(A. A. Mali)

2nd Jt Civil Judge (Jr.Dn),
Akot, Dist. Akola.

Date : 10.08.2026

Place : Akot.