

Order below Exh. 1 in Civil Misc. Application No. 115/2026

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

2. The applicants submitted that, the applicant No. 1 is the father of applicant Nos. 2 to 4. The wife of applicant No. 1 namely Kusumbai Mahadevrao Mankar, who was died on 20.07.2023 at Village Jalgaon Nahate, Tq. Akot, Distt. Akola. 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.

3. The applicants have made publication in daily news paper 'Dainik Akola Darshan' dt.09.05.2026 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.4 have examined himself at Exh. 11. The applicant have produced death certificate of his wife and copies of their Aadhar Cards. It appears that applicant No. 1 is the husband and applicant Nos. 2 to 4 are the sons of the deceased. Therefore, the applicants 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

uncontentious matters and subject to its pecuniary jurisdiction only. In the present matter, the applicants 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 of deceased that, she was permanent resident of Village Jalgaon Nahate, Tq. Akot, Distt. Akola. Therefore, it appears that, the present application is within the pecuniary and territorial jurisdiction of this Court. None other than applicant has 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. The application is allowed.
2. Heirship Certificate under Section VIII of Bombay Regulation Act, 1827 be issued in favour of applicants as legal heirs of deceased Kusumbai Mahadevrao Mankar to submit before government, semi-government offices.
3. Said Certificate be issued subject to the payment of necessary court fees by the applicants.

Date : 09.07.2026.

(A. H. Shaikh)
Jt. Civil Judge Jr.Dn.,
Akot.

<u>C E R T I F I C A T E</u>	
I affirm that the contents of this P.D.F. File Order/Judgment are same, word to word, as per the original Order/Judgment.	
Name of the Stenographer	Santosh S. Kale Gr-III
Court	Jt. Civil Judge (J.D.), Akot.
Date	09.07.2026
Judgment/Order signed by PO	09.07.2026
Judgment/Order uploaded on	09.07.2026