



Civil M.A. 366/2025
Suman Prataprao &
Ors. Vs. Nil
MHAK060033692025

ORDER
(Below Exh.01)
(Passed on 18th March, 2026)

This is an application under Section 2 of the Bombay Regulation Act VIII of 1827 to recognize applicants as legal heirs of deceased **Prataprao s/o Sadashivrao Deshmukh**.

2. It is submitted by the Ld. Advocate on behalf of applicants that the applicants No. 1, 2 and 4 are residents of village Vadali Deshmukh, Tq. Akot, Dist. Akola and applicant No. 3 is resident of Kamala Nehru Nagar, Anikat, Akola, Tq. and Dist. Akola. It is further submitted that husband of applicant No. 1 and father of applicants No. 2 to 4 deceased Prataprao s/o Sadashivrao Deshmukh has passed away on 13.10.2017 at village Wadali Deshmukh, Tq. Akot, Dist. Akola. It is also submitted that mother of deceased Prataprao namely Radhabai w/o Sadashivrao Deshmukh has passed away. Therefore, deceased Prataprao s/o Sadashivrao Deshmukh has no other legal heirs except the applicants.

3. The applicants are in need of formal certificate recognizing them as legal heirs of the deceased for

governmental and semi-governmental and other similar purposes. Hence, it is prayed that the applicants be recognized as legal heirs of deceased Prataprao s/o Sadashivrao Deshmukh.

4. Considering the nature of the application Notice (Exh.6) 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 Office. So also, proclamation was published in daily news paper of jurisdiction of this Court namely 'Hindusthan' dated 17.12.2025 to invite objections from the public at large.

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

6. 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 Prataprao s/o Sadashivrao Deshmukh ?	...Yes...
(2)	Whether the applicants are entitled for heirship certificate as prayed ?	...Yes...
(3)	What order ?	Application is allowed

7. In order to fortify their claim, the applicants have examined applicant No. 2 namely Sharad Prataprao Deshmukh as AW-1 and one Mayur Bhaskar Barabde as AW-2 by filing affidavit in lieu of their examinations-in-chief below **Exh. 09 & 10**. The applicants have closed their evidence vide Pursis below Exh. 11. In addition to this the applicants have relied upon following documentary evidence;

- (1) Death Certificate of Prataprao s/o Sadashivrao Deshmukh. (Exh.12)
- (2) Verified copies of Aadhar Cards of all the applicants. (Exh.13 to 16)
- (3) Invoice of payment of publication charges of proclamation. (Exh.17)
- (4) Issue of daily News Paper 'Hindusthan' dated 17.12.2025. (Exh.18)

8. As stated above, there is no rival side nor rival evidence as nobody preferred objections by public at large till the date.

REASONS

As to point No. 1 to 3 :-

9. Perusal of evidence affidavit of Sharad (AW-1) discloses that it is nothing but replica of substantive application. Sharad (AW-1) deposed on oath that he is resident of village Vadali Deshmukh, Tq. Akot, Dist. Akola. He further deposed that husband of applicant No. 1, his father and father of applicants No. 3 and 4 deceased

Prataprao s/o Sadashivrao Deshmukh has passed away on 13.10.2017 at village Wadali Deshmukh, Tq. Akot, Dist. Akola. He also deposed that mother of deceased Prataprao namely Radhabai w/o Sadashivrao Deshmukh has passed away. Therefore, deceased Prataprao s/o Sadashivrao Deshmukh has no other legal heirs except the applicants. Mayur (AW-2) has deposed in tune with Sharad (AW-1) in regard to demise of deceased Prataprao s/o Sadashivrao Deshmukh and legal heirs left behind by him.

10. There being no other side and also no objection from the public at large till the date, the evidence on record has remained unchallenged.

11. The Death Certificate (Exh.12) corroborates the testimony of the witnesses with regard to death of deceased Prataprao s/o Sadashivrao Deshmukh. It is significant to note that despite publication of notice in daily news paper 'Hindusthan' (Exh.18), no sort of objection is offered by public at large nor any adverse claim is made by anybody else in pursuance of Notice through citation. In addition to this the applicant No. 1 to 4 appears to be the legal heirs of deceased Prataprao s/o Sadashivrao Deshmukh.

12. Resultantly, there is nothing on record to disbelieve the evidence on record. In the result, the application deserves 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 4 as legal heirs of deceased **Prataprao s/o Sadashivrao Deshmukh** who passed away on 13.10.2017 at village Wadali Deshmukh, Tq. Akot, 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)

Date : 18.03.2026
Place : Akot.

Sd/-
(A. A. Mali)
2nd Jt Civil Judge (Jr.Dn),
Akot, Dist. Akola.