



M.J.C. No. 110/2026
Shilabai +2
-Vs- Nil.
MHAM180002812026

ORDER BELOW EXH.01
(Date :- 01-04-2026)

01. This is an application for grant of heirship certificate in accordance with the provision of the Bombay Regulation VIII of 1827.

02. Facts in short: The relationship of applicants with deceased **Bhaurao Pandhari Padole (died on 24/05/2024)** is as under:

Sr. No.	Name	Relationship with deceased
1.	Shilabai Bhaurao Padole	Wife
2.	Mohan Bhaurao Padole	Son
3.	Jyoti Chandrashekhar Fuse	Daughter

03. Deceased **Bhaurao Pandhari Padole** was resident of Jarud, Tq. Warud Dist. Amravati. He was the husband of applicant no.01 and father of applicant no.02 and 03. So also the mother of deceased Bhaurao Padole i.e. Sonabai Pandhari Padole is also died long before. Therefore, at present except the applicants there is no other class I legal heir to the deceased **Bhaurao Pandhari Padole**. The applicants are in need of heirship certificate of deceased for some official purpose. Therefore, this application.

04. After filing the application, public notice was published in daily newspaper "**Warud Darpan**" dated 04.02.2026 which is filed below **Exhibit 10**. Nobody appeared or filed any objection to the claim of the applicants.

05. In support of his contention, the applicant no.02 Mohan Bhaurao Padole has examined himself at **Exh.06**. Applicant has also filed on record the death certificate of deceased **Bhaurao Pandhari Padole** at **Exh.12** which suggest that, he is died on 24.05.2024.

06. Heard Ld. Advocate for applicant. He has submitted that as per the Bombay Regulation III of 1827, granting heirship certificate is only a formal recognition of heirs of the deceased. Admittedly, nobody has objected the application after issuing public notice. He further submitted that applicants are the legal heirs of the deceased. Hence, he prayed that application be allowed.

07. The grant of heirship certificate is solely, for the convenience of the heirs. Beyond that, it is of no significance. The rules also indicate that it is mandatory for the Court to issue an heirship certificate, if after publication of citation, no objector comes forward within one month from the date of publication. In that case, the Court shall forthwith receive such proof as may be offered of the right of the person making the claim, and if satisfied, shall grant a certificate in the prescribed form declaring them the recognized heirs of the deceased. The scope of such inquiry is limited to ascertain the claim of heirship of the applicants. The petitioners claim and the impugned order are required to be appreciated against the above legal position.

08. In the case in hand the applicants claim is that they are the legal heirs of the deceased. The death certificate of the deceased **Bhaurao Pandhari Padole** is filed on record. The public notice has been issued but nobody has objected the contention asserted by the

applicants. It also appears that applicants appear to be class-I heirs as per the Hindu Succession Act 1956.

09. After considering the pleadings, documents on record and submission of learned Advocate for the applicants, this Court is of the opinion that issuance of heirship certificate is merely formal recognition as an heir of deceased. All the documents and evidence before the Court is sufficient to issue heirship certificate in the name of applicants. Therefore, considering the unchallenged evidence of the applicants, documents filed on record and in absence of any objection, there is no impediment to allow the application. Hence, I pass the following order.

ORDER

01. The application is allowed.
02. The applicants are formally declared to be the legal heirs of deceased **Bhaurao Pandhari Padole**.
03. Heirship certificate, as per Appendix-B under the Bombay Regulation Act, 1827, be issued in name of applicants after depositing proper court fees.

Place : Warud
Date : 01/04/2026

(Vivek V. Rajurkar)
Jt. Civil Judge Jr. Division.,
Warud, Tq.Warud Dist.Amravati.