


MHAU070000602026 	Civil M.A./23/2026 Sunita Kamalakar kulkarni Vs Nil
---	--

ORDER PASSED BELOW EXH.1

This is an application filed by applicants through e-filing for issuance of Heirship certificate as per Section 2 of the Bombay Regulations Act, VIII of 1827.

In brief, facts of the application are as follows :-

- 2) Applicants are praying for issuance of Heirship Certificate in their favor by formally recognizing them as they are legal heirs of deceased Kamalakar Mallharrao Kulkarni.
- 3) Deceased Kamalakar Mallharrao Kulkarni is died on 23.04.2020 at Shivajinagar, Gangapur, Tq. Gangapur, Dist. Aurangabad. Deceased Kamalakar Mallharrao Kulkarni was the husband of applicant nos. 1, father of applicant no. 2 to 5.
- 4) Applicants required the Heirship Certificate for government and semi-government purposes. Applicants are only the heirs of deceased Kamalakar Mallharrao Kulkarni.
- 5) After receipt of this application, this Court issued proclamation through citation notice and public notice in daily news paper namely "Dainik Marathwada Kesari" circulated locally for inviting objections and directed to appear in this Court within one month from the date of proclamation and enter their objections. So also, notice of this

application were posted on notice board of Nagar Parishad Office of Gangapur on 12.01.2026, notice board of Tahsil office of Gangapur on 16.01.2026 and the conspicuous portion of the Court. The report is at Exh. 6.

6) The Public Notice is published in daily news paper "Dainik Marathwada Kesari" on 14.01.2026 at Exh. 9. However, nobody appeared before the Court, and objected the claim of applicant.

7) The Death Certificate shows that, deceased Kamalakar Mallharrao Kulkarni is died on 23.04.2020 at Shivajinagar, Gangapur, Tq. Gangapur, Dist. Aurangabad.

8) Applicants have contended that, they are only the legal heirs of the deceased Kamalakar Mallharrao Kulkarni. Except them there is no other legal heirs of deceased.

9) Till today, no sufficient objection offered by anyone to the prayer of the applicants. Hence, this Court proceed to receive further proof of the rights of the applicants.

10) The applicant no. 4 filed affidavit in support of the application at Exh.05 and also filed affidavit in lieu of examination-in-chief at Exh.10. The applicants also filed following documents along with list Exh. 8 :

I) Scan copy of Death Certificate of deceased Kamalakar Mallharrao Kulkarni.

II) Scan Copies of Aadhar Card of applicant nos. 1 to 5. Thereafter

the applicants filed evidence close pursis at Exh. 11.

11) I have gone through Section 2 of the Bombay Regulations Act, VIII of 1827. This provision of law provides for formal recognition of heirs of deceased by the Court.

12) Heard Ld. Advocate Shri. A. K. Chavan for applicants.

13) Perused the record and proceeding. In spite of news paper publication about this application, none has appeared before the Court and raised objections to the contentions and claim of applicants. Therefore, I do not find any reasons to disbelieve the contentions of applicants. The pleadings and evidence on record has unchallenged.

14) Considering the application, evidence of applicants, documents filed on record. It is cleared that no one has objected the rights of the applicants. The applicants filed affidavit in support of the application and stated that they are the only legal heirs of deceased Kamalakar Mallharrao Kulkarni. This contention of application is unchallenged. Therefore, it proves that the applicants are the legal heirs of the deceased. The applicants sought the heirship certificate for government and semi-government purposes. Therefore, this Court is satisfied that, there is no hurdle in granting heirship certificate in the name of applicants. In view of above discussion I come to conclusion that the applicants are entitled to heirship certificate. It is directed to the applicants that this certificate will use for the purpose mentioned in the application and shall not be used for any other purposes. In view of above discussion, I pass the

following order.

ORDER

1. Application is allowed.
2. Applicant nos. 1 to 5 are hereby formally recognized as legal heirs of the deceased Kamalakar Mallharrao Kulkarni.
3. On payment of requisite Court fee stamp, heirship certificate be issued to the applicants in the form contained in Appendix B of the Bombay Regulation Act,1827.
4. This is merely a formal declaration of heirship and is not a succession certificate. No valuable debts and securities would be transferred on the name of holder on the basis of this certificate.
5. Application is disposed of accordingly.

Date :- 27.03.2026

(A. A. Kalamkar)
3rdJt. Civil Judge J.D.,
Gangapur.

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 the Stenographer : R. S. Bhange
Court : Shri. A. A. Kalamkar,
3rd Jt. Civil Judge J.D., &
J.M.F.C. Gangapur.
Date of order : 27.03.2026
Order signed by the presiding : 27.03.2026
officer on
Order uploaded on : 27.03.2026