



CNR No. MHNB090000830-2022
Civil M.A. No. 249/2022
Arun Kaniram Rathod + 3 Vs. None

ORDER BELOW EXH.01
(Passed on : 21.12.2022)

The applicant has preferred this application Scheduled (VIII) of Bombay Regulations Act, 1827 for grant of Heir-ship certificate. The father of applicant No. 1 and grandfather of applicant Nos. 2 to 4 **Kaniram (Kanaiyaram) Deoram Rathod** is died on **16.09.1970**. The mother of applicant No. 1 and grandmother of applicant Nos. 2 to 4 **Punabai Kaniram Rathod** is died on **17.05.2021**. The brother of applicant No. 1 and father of applicant Nos. 2 to 4 **Ratilal Kaniram Javheri** is died on **05.11.2001**. The brother's wife of applicant No. 1 and mother of applicant Nos. 2 to 4 **Sushila Ratilal Javheri** is died on **21.10.2012**. Therefore, the applicants and heirs of the deceased are only the legal heirs of the deceased **Kaniram (Kanaiyaram) Deoram Rathod, Punabai Kaniram Rathod, Ratilal Kaniram Javheri and Sushila Ratilal Javheri**. Hence, the applicants file the present application. Accordingly, proclamation was issued in the daily local Newspaper "Nandadarshan" as per Appendix-A of the Bombay Regulations Act of 1827. Therefore, paper publication was made vide **Exh.19**. In spite of the proclamation, none has turned up for taking any objection to the right of said applicants.

2. The Applicant No. 03 Namely, **Dilip Ratilal Javheri** has filed his affidavit of evidence at **Exh.10**. In support of this he placed on record, Xerox copy of death certificate of deceased **Kaniram (Kanaiyaram) Deoram Rathod, Punabai Kaniram Rathod, Ratilal Kaniram Javheri and Sushila Ratilal Javheri** at **Exh. 11 to 14** respectively. Applicants are also filed xerox copies of their Aadhaar Card at **Exh. 15 to 18** on record.

3. His evidence remained unchallenged & therefore, I have no hesitation to relay on his unchallenged evidence. Hence, in view of the same, issue heirship certificate as per Appendix 'B' of the Bombay Regulations Act, 1827 in favor of the applicants. The applicant is directed to submit the court fees stamps, as per rules. Hence, application is disposed off accordingly.

Taloda
Date: 21.12.2022

(Suvidha G. Pande/Yawalkar)
Civil Judge (Jr. Dn.), Taloda.
Dist. Nandurbar.