

MHCH110011632025



Order Below Exhibit 01 in M.J.C. No. 74/2025.
Arvind & Ors. Vs. Nil.
(Date : 23/03/2026)

This is an application filed under section 2 of the Bombay Regulation Act for issuance of legal heirship certificate.

2] Grand-mother of applicant nos. 1-a to 1-d and mother of applicant nos. 2 and 3 namely Mirabai W/o Patwari Shende is died on 28.11.2019 at Palasgaon (Khurd) Tq. Nagbhid Dist. Chandrapur, leaving behind her the applicants as her legal heirs. The husband of deceased Mirabai is died long ago. Moreover, the father of applicant nos. 1-a to 1-d namely Pundlik Shende also died. It is therefore, at present applicants are only legal heirs of deceased Mirabai W/o Patwari Shende.

3] Deceased Mirabai did not execute any will during her life-time. Therefore, applicants required the heirship certificate of deceased Mirabai W/o Patwari Shende to file it in various Government and non-government offices as per requirement. Hence, the application.

3] Heard the learned advocate for applicants. Perused the application along with documents filed on record. Following points arise for my determinations on which I record findings along with

reasons to follow :-

<u>Sr. No.</u>	<u>Points</u>	<u>Findings</u>
1.	Do applicants appear to be legal heirs of deceased Mirabai W/o Patwari Shende ?	Affirmative.
2.	Whether application is deserved to be allowed ?	Affirmative.
3.	What order ?	Application is allowed.

REASONS

4] Applicants to prove their case have examined to applicant No. 1-a- Arvind S/o Pundlik Shende as (A.W.No.1) on affidavit at Exh. 10. In support of his testimony, applicants relied upon verified copy of death certificate of deceased Mirabai W/o Patwari Shende at Exh.11, verified copy of death certificate of deceased Patwari S/o Narayan Shende at Exh.12, verified copy of death certificate of deceased Pundlik S/o Patwari Shende at Exh.13, copy of heirship certificate of deceased Mirabai issued by Sarpanch, Palasgaon (Khurd) at Exh.14, copy of heirship certificate of deceased Pundlik issued by Sarpanch, Palasgaon (Khurd) at Exh.15, verified copy of Adhar Cards of Applicants at Exh. 16 to 21, respectively and Paper publication at Ext.22. Applicant by filing pursis (Exh.23) closed their evidence.

Point Nos. 1 to 3 :-

5] Applicant No. 1-a- Arvind S/o Pundlik Shende has deposed that, applicant Nos. 1-b to 1-d are his brothers and sisters, respectively and applicant nos. 2 and 3 are his paternal aunts.

Applicant nos. 1-a to 1-d are sons and daughters of deceased Pundlik S/o Patwari Shende, who was a son of deceased Mirabai Wd/o Patwari Shende. His as well as applicant nos. 1-b to 1-d's grandmother and applicant nos. 2 and 3's mother namely Mirabai W/o Patwari Shende is died on 28.11.2019 at Palasgaon (Khurd) Tq. Nagbhid Dist. Chandrapur. Thus, at present, deceased Mirabai has no legal heirs except the applicants. The applicant is required the heirship certificate of deceased Mirabai W/o Patwari Shende to file in various Government, semi-government and non-government offices as and when required.

6] In support of his oral testimony, he relied upon the verified copy of death certificate (Exh.11) of deceased Mirabai W/o Patwari Shende, which is issued by issued by Secretary, Birth & Death, Palasgaon (Khurd), after going through (Ext.11), it appears that Mirabai Wd/o Patwari Shende is died on 28.11.2019 at Palasgaon (Khurd). Similarly, the applicants in order to show that, Patwaru Shende and Pundlik Shende are died, relied upon the death certificate at Exhs. 12 and 13, respectively, from which it appears that, Patwari is died on 10.09.2015 at Palasgaon (Khurd) Tq. Nagbhid and Pundlik is died on 14.10.2009 at Government Medical college and Hospital at Nagpur Dist. Nagpur.

7] Applicant no. 1-a in order to establish his as well as other applicants relationship with deceased Mirabai W/o Patwari Shende, relied upon copy of heir certificate of Mirabai and Pundlik issued by Gram Panchayat, Palasgaon (Khurd) at Exhs. 14 and 15, respectively

from which it prima facie appears that, applicants are related to deceased Mirabai and Pundlik in the capacity as averred by them in the original application. Moreover, the applicants filed on record verified copies of their Adhar Cards at Exhs. 16 to 21, respectively, from which it appears that, applicants are related to deceased Mirabai, as claimed in the application.

8] Moreover, though applicant issued paper publication relating to the present application in Daily News paper “*Punyanagari*” dated 15.10.2025 at Exh.22, however no one appeared and raised objection to the claim of applicants. Therefore, the testimony of Arvind remained unchallenged. Thus, for want of rebuttal of testimony of Arvind, I found no reason to disbelieve his testimony. Thus, after going through the aforesaid discussion, it appears that applicant Nos.1-a to 1-d are grand-sons and grand-daughters and applicant nos. 2 and 3 are daughters of deceased Mirabai, respectively. Hence, applicants being Class-I legal heirs of deceased Mirabai Wd/o Patwari Shende are deserved to be formally recognized so. Hence, I answer point nos.1 and 2 in affirmative.

9] Considering the finding of point nos. 1 and 2 it appears that application is deserved to be allowed. Hence, I answer towards point no. 3 as under :

ORDER

i)	The application is allowed.
ii)	The applicant No.1-a- Arvind S/o Pundlik Shende, 1-b- Pravin S/o Pundlik Shende, 1-c- Archana W/o Vilas

	Gurnule, 1-d- Shevanta D/o Pundlik Shende, 2-Tanabai @ Vanita W/o Gulab Gurnule and 3- Nita W/o Prabhakar Gurnule, are formally recognized as legal heirs of deceased Mirabai Wd/o Patwari Shende and accordingly, certificate be issued in compliance of Para 312 and 313 of the Civil Manual, on payment of court fees as per law.
iii)	applicants to bear their own cost.
iv)	A.S. to report the court on payment of necessary court fees by the applicants.

Date : 23.03.2026

(**P. D. Azade**)
Civil Judge Junior Division,
Nagbhid.