

MHCH110011652025



Order Below Exhibit 01 in M.J.C. No. 75/2025.

Bhumeshwar & Ors. Vs. Nil.

(Date : 20/04/2026)

This is an application filed under section 2 of the Bombay Regulation VIII of 1827 for issuance of legal heirship certificate.

2] Applicant Nos. 1 and 2 are brother and sister of each other. Father of applicant nos. 1 and 2 namely Maroti S/o Vithoba Lade is died on 22.02.2018 at Owala Tq. Nagbhid Dist. Chandrapur, leaving behind him the applicants as his legal heirs. Therefore, as on today except the applicants, there is no other legal heirs of deceased Maroti S/o Vithoba Lade. Deceased Maroti did not execute any will during his life-time. Therefore, applicants required the heirship certificate of deceased Maroti S/o Vithoba Lade to file it in various Government and Semi-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 Maroti S/o Vithoba Lade ?	In Affirmative.
2.	Whether application is deserved to be allowed ?	In Affirmative.
3.	What order ?	Application is allowed.

REASONS

4] Applicants to prove their case have examined to applicant No. 1- Bhumeshwar s/o Maroti Lade as (A.W.No.1) on affidavit at Exh. 10. In support of his testimony, applicant relied upon verified copy of death certificate of deceased Maroti S/o Vithoba Lade at Exh. 11, verified copy of death certificate of deceased Anjanabai W/o Maroti Lade at Exh. 12, copy of heirship certificate of Maroti issued by Sarpanch, Gram Panchayat, Owala at Exh. 13, verified copies of Adhar Cards of applicant nos. 1 and 2 at Exhs. 14 & 15, respectively and Paper publication at Ext.16. Applicant by filing pursis (Exh.17) closed their evidence.

Point Nos. 1 to 3 :-

5] Applicant No.1 - Bhumeshwar has deposed that, applicant Nos. 2 is his sister. His as well as applicant no.2's father namely Maroti S/o Vithoba Lade is died on 22.02.2018 at Owala Tq. Nagbhid. Thus, at present, deceased Maroti has no legal heirs except the applicants. The applicants are required the heirship certificate of

deceased Maroti S/o Vithoba Lade to file it in various Government and Semi-government offices as and when required.

6] Applicant no. 1 in support of his oral testimony has relied upon the copy of death certificate (Exh.11) of deceased Maroti S/o Vithoba Lade, which is issued by Gram Panchayat, Owala, after going through Ext.11, it appears that Maroti S/o Vithoba Lade is died on 22.02.2018 at Owala Tq. Nagbhid. Similarly, below Exh. 12 the applicants filed on record verified copy of death certificate of Anjanabai W/o Maroti Lade, from which it appears that, Anjanabai is died on 25.09.2023 at Owala Tq. Nagbhid Dist. Chandrapur.

7] The applicant no. 1 in order to establish his as well as other applicants relationship with deceased Maroti S/o Vithoba Lade, relied upon verified copies of Adhar Cards of applicant nos. 1 and 2 at Exh. 14 and 15, respectively, from which it appears that, applicants are related to deceased Maroti, as claimed in the application.

8] Moreover, though applicants issued paper publication relating to the present application in Daily News paper "*Punyanagari*" dated 26.11.2025 at Exh.16, however no one appeared and raised objection to the claim of applicants. Therefore, the testimony of Bhumeshwar remained unchallenged. Thus, for want of rebuttal of testimony of Bhumeshwar, I found no reason to disbelieve his testimony.

9] Thus, after going through the aforesaid discussion, it appears that, applicants are son and daughter of deceased Maroti. Hence, applicants being Class-I legal heir of deceased Maroti are deserved to be formally recognized so, for the purpose mentioned in the application. Hence, I answer point nos. 1 and 2 in affirmative.

10] Having 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 Nos.1- Bhumeshwar S/o Maroti Lade and 2- Jyoti D/o Maroti Lade, are formally recognized as legal heirs of deceased Maroti S/o Vithoba Lade 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 applicant.

Date : 20.04.2026

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