

**ORDER BELOW EXH.1****(Dated 04/05/2026)**

This is an application for seeking legal heir-ship certificate under the Bombay Regulation Act No. VIII, 1827. Applicant no.1 to 3 and deceased Vasant, deceased Dhanraj and deceased Tanabai were children of deceased Sukharu Hiranman Bhojar. Applicant No.4 to 6 are wife and children of deceased Vasant, whereas applicant No.7 Mukharabai is wife of deceased Dhanraj and applicant No.8 is son of deceased Tanabai. The deceased Sukharu Hiranman Bhojar and Raibai Sukharu Bhojar have expired on 04/12/2017 and 05/05/2017 respectively. Deceased Vasant expired on 21/03/2024, deceased Dhanraj expired on 04/09/2013 and deceased Tanabai expired on 27/09/1986. Applicants are in need of legal heirship certificate for Government, Semi-Government and other purpose. Except applicants, there are no legal heirs. Hence, prayed for issuing legal heir-ship certificate in their favour.

2] Read the contents of the application, affidavit of applicant no.5 Pinku Vasant Bhojar has filed at **(Exh.11)** and perused the documents on record. In the affidavit, it is stated that father and mother of deceased Sukharu have also expired.

3] Heard the learned Advocate for the applicants.

4] Public notice and proclamation has been issued. No one has appeared to challenge the contents of application and

affidavit at **Exh.11** filed on behalf of applicants. The Death certificates of deceased Sukharu Bhoyar, Raibai Bhoyar, Vasant Bhoyar, Dhanraj Bhoyar and Tanabai Gohane are at **Exh.12 to 16** respectively. Heirship certificate issued by Gram Panchayat and Police Patil are at **Exh.17 and 18** respectively. Aadhaar cards of applicants are at **Exh.19 to 27** respectively. Deceased Dhanraj Bhoyar and Deceased Tanabai Gohane are predeceased son and daughter of deceased Sukharu Bhoyar and therefore, applicant No. 7 being wife of predeceased son Dhanraj and applicant No. 8 being son of predeceased daughter are class-I legal heirs by virtue of schedule I of Hindu Succession Act. Applicant No.4 to 6 are wife and children of post deceased son Vasant who expired on 21/03/2024. The above applicants are class-I legal heirs of deceased Vasant who survived death of deceased Sukharu. Had Vasant would have been alive or this application would have been preferred during the lifetime of deceased Vasant, his wife and children would have not been entitled for heirship certificate. But, now since Vasant has expired, the above applicant No. 4 to 6 are entitled for heirship certificate in his stead by virtue of Section 8 r/w schedule I of Hindu Succession Act. There cannot be denial of heirship certificate by making distinction between predeceased son and post deceased son. The heirs of predeceased son and post deceased son are at par with each other and heirs of post deceased son are entitled for heirship certificate on additional ground of parity.

6] Despite issuance of paper publication, nobody has

turned up before this Court and contested this application. The receipt of paper publication dated 04/02/2026 (Punya Nagari) is at **Exh.27**. The contents of affidavit at **Exh.11** have remained uncontroverted. There is no reason disbelieve the version of applicant no.5 on oath. Therefore, having perused the affidavit and connected documents with meticulous care, I am satisfied that applicant No.1 to 7 are Class-I legal heirs of deceased Sukharu Bhoyar. All the procedural requirements are complied with and I find no justifiable reason to reject the application. In the result, I pass the following order-

: O R D E R :

1. This application is allowed.
2. Issue heir-ship certificate in the name of the applicant no.1 **Keshav Sukaru Bhoyar**, applicant no.2 **Kanhabai @ Kamal Pralhad Meshram**, applicant no.3 **Renuka @ Mandabai Rumaji Gedam**, applicant No.4 **Premila Vasant Bhoyar**, applicant no.5 **Pinku Vasant Bhoyar**, applicant no.6 **Priti Someshwar Meshram**, applicant No.7 **Mukharabai Dhanraj Bhoyar** and applicant No.8 **Vinod Madhav Gohane** as class-1 legal heirs of deceased **Sukharu Hiranman Bhoyar** as per section 2 of the Bombay Regulation Act VIII, 1827 on payment of requisite Court Fee, if required to pay any, as per law.

3. The note shall be appended to the certificate as per Bombay Regulation Act No. VIII, 1827 and as provided at Para 312 of the Civil Manual.

Place : Saoli
Date : 04/05/2026

(Anupam S. Sharma)
Jt. Civil Judge Junior Division,
Saoli.