

COMMON ORDER BELOW EXH.01

(Passed On 24/04/2026)

on perusal of record it is seen that, in Misc. Civ. Application No. 38/2025 One Parvatidevi Wd/o. Raghunathprasad Bihani has filed the application under Bombay Regulation Act, 1827 for legal heirship certificate and thereby claimed legal heirs of her deceased Son Subhashchandra Raghunathprasad Bihani who died on 13/07/2025 and legal heir of her daughter-in-law namely **Manjulata Subhashchandra Bihani** who died on 07/06/2025.

2. It is also seen that, Premlata Dipakkumar Dodiya (Premlata Bajaranglal Soni) has raised objection to this proceeding by filing objection at Exh. 14. The same has to be decide in accordance with the provisions of Bombay Regulation Act, 1827.

3. On perusal of M. J. C. No. 83/2025 it is seen that, Premlata Dipakkumar Dodiya (Premlata Bajaranglal Soni) has filed this application and thereby claiming herself legal heir of deceased Manjulata Subhashchandra Bihani. She asserted that, deceased Manjulata is her sister.

4. Absolutely, both the proceedings are filed to obtain legal heirship certificate. But, now the applicant from M. J. C. No. 83/2025 has raised objection to the application M. J. C. No. 38/2025. Although the proceedings under Bombay Regulation Act are for mere formal declaration of legal heirship, it may cause encroachment over legal right of other persons. The Law also provides that, such proceedings can be suspended or kept in abeyance till the decision passed by competent Civil Court. In such circumstances, it will be

proper to decide both the cases simultaneously with intent to avoid differences of legal opinion as well as legal controversies and multiplicity of judicial proceedings in respect of declaration of legal characters. Hence, I proceed to pass following order.

Order

1. The M.J.C. No. 38/2025 and M. J. C. No. 83/2025 be tried together.
2. Parties to note and comply.

Dt.24/04/2026.
Place: Sindewahi.

(P. A. Ghote)
C. J. J. D., Sindewahi.
Dist. Chandrapur