

MHJN060000362026

**ORDER BELOW EXH.01**

(Passed on 07.04.2026)

1] This is an application under **Bombay Regulations VIII of 1827**, for the grant of Heirship Certificate in relation to death of **Babbu Bannu Shaikh**.

**Brief contention of applicant is as under:-**

2] Deceased is son of applicant no. 1 and 2. The deceased Babbu Bannu Shaikh died on 05.08.2025. After his death only applicants are the legal heirs of Babbu Bannu Shaikh. Hence, the applicants sought, the "Heirship Certificate" mere as a recognition. To fortify the contentions of application, affidavit of applicants and certain documents are filed.

3] After receipt of application, proclamation was issued, so as to call objections, if any, for grant of Heirship Certificate to applicants. Proclamation Exh.13, was published in daily newspaper "*Dainik Punyanagari*" of dated 16.01.2026. However, even after the lapse of the prescribed period, nobody appeared and raised any sort of objections. Thus, matter was posted for evidence.

4] Applicant no. 2 has adduced his evidence at Exh.07. Besides this, he has filed certain documents to fortify their version. Copy of death certificate of Babbu Bannu Shaikh at Exh.09, Heirship certificate issued by G.P. Hasnabad at Exh.10, Verified copy of aadhar cards are at Exh.11 and 12 and closed evidence vide purshis at Exh.15. Heard Shri. D.N. Ramphale, learned advocate for

applicants.

5] It reveals from evidence of applicant that, Babbu Bannu Shaikh died on 05.08.2025. This fact is duly fortified by copy of death certificate of Babbu Bannu Shaikh. As nobody has raised any objection even after publication of proclamation, the version of applicant has gone un-shattered.

6] Admittedly, deceased Babbu Bannu Shaikh was the son of applicant no.1 Banobi Shaikh Bannu and applicant no. 2 Shaikh Bannu Shaikh Abbas. Under Bombay Regulation VIII of 1827 only legal heirs are entitled to get heirship certificate. Admittedly, in Muslim Law father is also heir after death of his son.

7] As per Section 134 of Evidence Act, “no particular number of witnesses are required for proving any fact”. The evidence of sole applicant witness has gone un-controverted and unchallenged. It is free from any discrepancies. Therefore, I have no hesitation to place reliance upon the same and conclude that, applicants are the only heirs of deceased. As per **clause 7 of Bombay Regulation VIII of 1827**, *“the granting of certificate under it shall not finally determine, nor injure the right of any person and the Certificate shall be annulled by the Zilla Court, upon the proof that another person has preferable right.”*

8] Considering the unchallenged testimony of applicants and documents filed on record, it is crystal clear that, applicants are entitled for Heirship Certificate. Under such circumstances, I think it just and proper to issue Heirship Certificate in the name of applicants. Hence, I pass following order-

**ORDER**

1. Application is partly allowed.
2. Issue Heirship Certificate in the name of applicants as the recognized heir of deceased Babbu Bannu Shaikh R/o. Hasnabad, Tq. Bhokardan, Dist. Jalna as per rules.
3. This certificate shall not be used for any other purpose.

Date:- 07.04.2026

(Mayuresh R. Kale)  
Civil Judge Junior Division,  
Bhokardan

**CERTIFICATE**

I affirm that the contents of this PDF file Order/Judgment are same word to word as per the original Order/Judgment.

Name of Steno/Clerk	:	G.M.Padol
Court	:	CJJD & JMFC, Bhokardan
Date	:	21.02.2026
Judgment/order signed by the Presiding Officer on	:	21.02.2026
Judgment/Order uploaded on	:	21.02.2026