

MHJN060004672026



ORDER BELOW EXH.01
(Passed on 01.08.2026)

1] This is an application under **Bombay Regulations VIII of 1827**, for the grant of Heirship Certificate in relation to death of **Samiulla Abdulla Khan and Rahimabi Samiulla Khan Pathan**.

Brief contention of applicants is as under:-

2] Applicant no.1 and 2 are sons of deceased Samiulla Abdulla Khan and Rahimabi Samiulla Khan Pathan. Deceased Samiulla Abdulla Khan died on 05.01.2026 and Rahimabi Samiulla Khan Pathan died on 18.10.2024. Mothers of both deceased Samiulla Abdulla Khan and Rahimabi Samiulla Khan Pathan are already died. After death of Samiulla Abdulla Khan and Rahimabi Samiulla Khan Pathan only applicants are the heirs of Samiulla Abdulla Khan and Rahimabi Samiulla Khan Pathan. 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.17, was published in daily newspaper “*Dainik Punyanagari*” of dated 11.06.2026. However, even after the lapse of the prescribed period, nobody appeared and raised any sort of objections. Thus, matter was posted for evidence.

4] Applicants have adduced their evidence at Exh.07. Besides

this, they have filed certain documents to fortify their version. Applicants have filed verified copy of death certificate of deceased Samiulla Khan Abdulla Khan at Exh. 08, verified copy of aadhar card of applicant no. 2 death certificate of deceased Rahimabi Samiullakhan Pathan at Exh.10. Similarly, in support of their evidence, Akil Ahemad Salim Ahemad Kasmi have given affidavit, which is listed at Exh. No. 14. Also, the applicant has closed their evidence vide purshis Exh.19.

5] It reveals from evidence of applicants that, Samiulla Abdulla Khan died on 05.01.2026 and Rahimabi Samiulla Khan Pathan died on 18.10.2024 this fact is duly fortified by copies of death certificates of Samiulla Abdulla Khan and Rahimabi Samiulla Khan Pathan. As nobody has raised any objection even after publication of proclamation, the version of applicant has gone un-shattered.

6] 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.”*

7] 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 allowed.
2. Issue Heirship Certificate in the name of applicants as the recognized heirs of deceased Samiulla Abdulla Khan and Rahimabi Samiulla Khan Pathan R/o. Bhokardan Tq. Bhokardan Dist. Jalna as per rules.
3. This certificate shall not be used for any other purpose.

Date:- 01.08.2026

I/c.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	:	G.M.Padol
Court	:	CJJD & JMFC, Bhokardan
Date	:	01.08.2026
Judgment/order signed by the Presiding Officer on	:	01.08.2026
Judgment/Order uploaded on	:	01.08.2026