


MHKO050056922025 	Received on : 13.11.2025 Registered on : 13.11.2025 Decided on : 25.03.2026 Duration of case : 00Y 04M 12D
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IN THE COURT OF CIVIL JUDGE JUNIOR DIVISION, ICHALKARANJI.
(Presided over by: Smt.Monali Gawade)

Civil Misc. Application No.142/2025

EXH.18

1) **Bhalchandra Nagesh Gajendragadkar (Deceased)**

a) **Bharti Bhalchandra Gajendragadkar**

Age. 70 years, Occu. Homemaker.

Ro.- Vidya Colony, Peth Vadgaon, Tal. Hatkanangle,
Dist. Kolhapur.

b) **Bhagyashri Pravinkumar Kulkarni**

Age. 35 years, Occu. Homemaker.

Ro.- In front of chocolate factory, kulkarni Mala,
Amrutnagar, Kodoli, Tal. Panhala, Dist. Kolhapur.

2) **Shrikant Nagesh Gajendragadkar**

Age. 70 years, Occu. Nil.

Ro.- Kotwal Gali, Jawaharnagar in front of Chavan
Karkhana Ichalkaranji, Tal. Hatkanangle, Dist. Kolhapur.

} Applicants

Versus

Nil

} Non- applicant

APPLICATION UNDER RULE 2 & 3 OF BOMBAY
REGULATION VIII ACT, 1827 FOR GRANT OF
LEGAL HEIRSHIP CERTIFICATE

Adv. S.N.Patil Learned Advocate for Applicants.

J U D G M E N T**[Delivered today on 25.03.2026]**

1. The Applicants have made this application under Rule 2 & 8 of Bombay Regulation VIII Act, 1827.
2. It is stated in the application that, father-in-law of the applicant no.1 (a) and grand-father of applicant no.1 (b) and father of applicant no.2 **Late. Nagesh Bapuji Gajendragadkar** demised on 20/11/1998. Mother-in-law of applicant no.1(a), grand-mother of applicant no.1(b) and mother of applicant no.2 **Late. Indirabai Nagesh Gajendragadkar** demised on 29/12/2009. It is further mentioned that deceased **Ambutai @ Ambubai Nagesh Gajendragadkar** was sister-in-law of applicant no.1(a), paternal aunt of applicant no.1(b) and sister of applicant no.2 demised on 29/12/1996. It is mentioned in the application that deceased **Ambutai @ Ambubai Nagesh Gajendragadkar** died unmarried and besides the present applicant's no other legal heirs of her exists today. It is prayed that for the purpose of further legal proceedings, mutations entries, etc., heirship certificate is required. Hence, the present application is made by the applicant's for the declaration of heir of deceased **Ambutai @ Ambubai Nagesh Gajendragadkar**.
3. On receipt of the case, an order passed below Exh.1 for publication of public notice in a widely circulated regional newspaper inviting objections on claim of the applicants, if any. Accordingly, applicants have published the notice in regional Newspaper '*Dainik Punyanagri*' of 07th December 2025. The paper publication is available at Exh.9/1. Since then, no objections have been raised by anybody as to the claim of the applicants.
4. Thereafter, applicant no.1 (b) filed her affidavit of evidence vide Exh.16. The applicant also produced death certificate of her father at Exh.11/1, grand-father at Exh.3/2, grand-mother at Exh.3/3, aunt at Exh.3/1, Aadhar card of applicant nos. 1 and 2 at Exh. 3/4 and 3/5 and

Aadhar card of applicant nos. 1 (a), 1 (b) at Exh.11/2 and 11/3. Thereafter, the applicants closed their evidence vide *pursis* at Exh.17.

5. Heard L.d. Advocate for the applicants.

6. The Bombay Regulation VIII of 1827 was enacted to provide formal recognition of heirs, executors and administrators and also for appointment of Administrator/Manager of property by the Court. As mentioned rightly, the regulation formally recognizes right of a heir of the deceased person. Rule 2 of the Regulation provides that if no sufficient objection is offered, the Court will proceed to receive proof about right of the applicant and, if satisfied, grant certificate of heirship. Rule 3 is also on the same line and it provides that if no sufficient objection has been made within the expiry of time mentioned in the proclamation, heirship certificate can be granted on satisfaction of the Court.

7. In present case, the death of father-in-law of the applicant no.1 (a) and grand-father of applicant no.1 (b) and father of applicant no.2; Mother-in-law of applicant no.1(a), grand-mother of applicant no.1(b) and mother of applicant no.2; Sister-in-law of applicant no.1(a), paternal aunt of applicant no.1(b) and sister of applicant no.2 are established by death certificates produced on record and assertions made by the applicants. It is highlighted that, heirship certificate is sought for the purpose of legal proceedings, mutation entries in the properties etc. The assertions of applicants are intact as nobody has objected their claim. However, it is pertinent to note that object of heirship certificate is to give recognition to the status of applicants as an heir of the deceased. It does not confer any right relating to any property. Considering the record, I am of the view that the certificate of heirship may be granted in favour of the applicants. Thus, I find no reason to reject or refuse certification. Therefore, I pass the following order;

ORDER

Issue heirship certificate in the name of applicant;

1) (a) Bharti Bhalchandra Gajendragadkar, 1 (b) Bhagyashri Pravinkumar Kulkarni and 2) Shrikant Nagesh Gajendragadkar as *formally recognized heir* of deceased Late. Ambutai @ Ambubai Nagesh Gajendragadkar, in view of Rule 2 and 3 of Bombay Regulation VIII, 1827, in prescribed form available in the Schedule of Regulation on payment of requisite Court fees.

Date- 25/03/2026.

Place: Ichalkaranji.

Sd/-

(M.S. Gawade)

5th Jt. Civil Judge Junior Division,
Ichalkaranji.