

MHKO070024982024 	<u>ORDER PASSED BELOW EXH.NO. 15 IN</u> <u>R.C.S.NO.74/2024</u> Asmita Amitkumar Chavan Vs Ananda Rau Chavan
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1] The present application filed by the non-applicant for return of the application to the applicant because the Civil Judge Junior Division has no jurisdiction to try the present application. The applicants have failed to file their say. Therefore, no say order passed against them.

2] Applicants have filed this application for Succession Certificate under Section 372 of Indian Succession Act. Perused the record. The non-applicants appeared on 30/01/2025 but till today have not filed their say to the main application.

3) It is true that, as per the para No.305 (ii) of Civil Manual the Hon'ble High Court has invested all the Civil Judges (Senior Division), with all powers of District Judge to take cognizance any contested proceeding under Indian Succession Act, 1925. It is needless to mention that, the Civil Judges (Junior Division) has powered to try the non contested matter subject to their pecuniary jurisdiction for issuing Succession certificate. However, the non-applicants till today have not filed their say. Therefore, it is hard to say that, the present succession application is contested by the non-applicants. Therefore, this application is premature. Hence, it deserves to be rejected.

(M. S. Patil)

Date :-07-01-2026.

2nd Jt. Civil Judge, Jr.Dn.,
Jaysingpur, Tal.Shirol, Dist.Kolhapur