

MHKO110018192025 	<u>ORDER BELOW EXH. 1 IN</u> <u>CIVIL MISC. APPLN. 42/2025</u> Shankar Maruti Shinde and Ors. Vs. Nil
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This is an application under section 372 of Indian Succession Act, 1925 for grant of succession certificate.

02. The brief facts of the case of the applicants are as follows:-

Applicant No. 1's father, applicant No. 2's father-in-law and applicant No. 3's grandfather Maruti Mahadev Shinde has demised on 21.04.2025. Also, the husband of applicant no. 2 i.e. Dinkar Maruti Shinde has demised on 07.02.2008. After the death of Maruti Mahadev Shinde and Dinkar Maruti Shinde applicant No. 1, 2 and 3 are his legal heirs and that, except the present applicants, there are no other legal heirs to the deceased Maruti Mahadev Shinde.

03. The applicant no. 1 to 3 have further contended that, deceased Maruti Mahadev Shinde was working at Kolhapur Steel Ltd., Shirolī M.I.D.C, Tal. Hatkanangale, Dist. Kolhapur. He was retired on 01.06.2005. The amount of Rs. 1,17,400/- was deposited on his name under Employee Pension Scheme, 1995. After his demise, applicant No. 1 Shankar Maruti Shinde preferred an application to the concerned department of Employee Provident Fund Organization, Kolhapur for the amount of Rs. 1,17,400/-

was deposited in the name of applicants as a legal heir of deceased Maruti Mahadev Shinde. However, on 25.07.2025 the concerned department of Employee Provident Fund Organization, Kolhapur insisted upon him to bring heirship certificate from the Competent Court. Hence, they have filed the said application under section 372 of The Indian Succession Act, 1925 for grant of heirship certificate.

04. In the present application citation was issued and the paper notice was also published in “Mahan Karya” dated 17.10.2025 calling upon the objections from the public at large. The said paper notice is at Exh.19. However, no one has turned up till today to contest the said application.

05. Heard the learned advocate for the applicants at length.

06. Considering the pleadings of the applicants and the material placed on record, the following points arose for my determination and I have recorded my findings thereon with reasons as under.

<u>SR.NO.</u>	<u>POINTS</u>	<u>FINDINGS</u>
1)	Whether applicants are entitled for heirship certificate as prayed for ?	Yes.
2)	What order ?	<u>AS PER FINAL ORDER.</u>

-: REASONS :-

AS TO POINT NOS. 1 AND 2 :-

07. The applicants have also produced documentary evidence in support of their claim at Exh. 3. The Death Certificate of Maruti Mahadev Shinde at Exh. 10, Death Certificate of Laxmibai Maruti Shinde at Exh. 11, Application to Employee Pension Fund Organization, Kolhapur Dtd. 29.05.2025 at Exh. 12, letter from Concerned department dated 25.07.2025 at Exh. 13, Adhar Cards of deceased Maruti Mahadev Shinde, Laxmibai Maruti Shinde and Applicant no. 1 to 3 respectively at Exh. 14 to Exh. 18 and evidence close pursis at Exh. 20. Also, the applicants have filed death certificate of Dinkar Maruti Shinde at Exh. 22.

08. The applicant No. 1 i.e. Shankar Maruti Shinde in his evidence affidavit at Exh. 9 has reiterated all the averments made in the said application.

09. The death certificate of Maruti Mahadev Shinde at Exh. 10, Laxmibai Maruti Shinde at Exh. 11 and Dinkar Maruti Shidne at Exh. 22 shows that the predecessor of the applicants are demised. In spite of issuance of citation and paper notice nobody has appeared to contest the instant application. Therefore, this Court has no hesitation to hold that the present applicant No.1, 2 and 3 are the only legal heirs of deceased Maruti Mahadev Shinde who demised on 21.04.2025.

10. The applicants have prayed for issuance of heirship certificate under the Indian Succession Act, 1925. Thus, on perusal

of the aforesaid oral and documentary evidence produced by the applicants and in view of aforesaid discussion, the applicants have established that, the applicant No.1's father, applicant No. 2's father-in-law and applicant No. 3's grandfather i.e. Maruti Mahadev Shinde was employed with Kolhapur Steel Ltd., Shirol M.I.D.C, Tal. Hatkanangale, Dist. Kolhapur demised on 21.04.2025. There are no other legal heirs to the deceased Maruti Mahadev Shinde except applicant no. 1, 2 and 3. The said application is not contested or protested by anybody. Therefore, it has to be held that, there are no legal heirs to the deceased Maruti Mahadev Shinde other than the applicant No. 1, 2 and 3. Therefore, the present application deserves to be allowed and the applicant No. 1, 2 and 3 are entitled for legal heirship certificate under the provision of The Indian Succession Act, 1925. Hence, point No.1 is answered in the affirmative and in answer to point No. 2, the following order is passed :-

ORDER

1.	Application is allowed.
2.	The applicant No. 1 Shankar Maruti Shinde, applicant No. 2 Sarika Dinkar Shinde and applicant No. 3 Ganesh Dinkar Shinde are the legal heirs of the deceased Maruti Mahadev Shinde.

3.	Heirship certificate be issued on the name of applicant No. 1 Shankar Maruti Shinde, applicant No. 2 Sarika Dinkar Shinde and applicant No. 3 Ganesh Dinkar Shinde after the requisite court fees are deposited.
4.	Applicant no. 1 to 3 are directed to deposit therequisite court fees as per rules.

(Pronounced in open court.)

sd/-

Date : 08/06/2026.
Peth-Vadgaon

(R. S. More)
4th Jt. Civil Judge, Jr. Dn.,
Peth-Vadgaon.