


MHKO140009022025 	<u>ORDER BELOW EXH. 1 IN CIVIL M.A.NO.46/2025</u>  <b>Kasturi Shankar Hiremath</b> <b>Vs.</b> <b>Nobody</b>
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This is an application for grant of Heirship Certificate under Section 2 of Bombay Regulation Act, 1827.

02. According to the applicants, Wife of applicant no.1A and Mother of applicant no.1B to 1D namely deceased **Kasturi Shankar Hiremath** has died on 22/07/2021 at Chinchavane, Tal. Chandgad, Kolhapur due to and leaving behind the applicant no.1A to 1D as their legal heirs. Therefore, the applicants have become entitled to obtain legal heirship certificate as legal heirs of the deceased. Applicants required heirship certificate because they want to give this certificate to the for the recovery of the amount deposited in the court of the M/s Civil Judge, Senior Division, Gadhinglaj. Therefore, this application is filed for grant of heirship certificate. This application is supported with the affidavits of applicant no.1B.

03. In support of their claim, the applicant has filed evidence affidavits of witness no.1 at **Exh.9**. They reiterated the contents of the application. The applicants have also filed some documents on record viz. death certificate and aadhar card of deceased **Kasturi Shankar Hiremath** and verified copy of Aadhar card of applicant No.1A to 1D at **Exh.3**, copy of newspaper "Tarun-Bharat" dated 22/01/2026 at **Exh.8**. That, the evidence has been closed at **Exh.10**.

04. After considering the pleading, evidence on affidavits of the applicant no.1B, documents on record and submission of learned counsel for the applicants, this Court is of the opinion that issuance of heirship certificate

is merely formal recognition as an heirs of deceased. Admittedly, names of the competent legal heirs ought to be recorded in the official record. However, considering the status and religion of the deceased and the applicants, the Hindu Succession Act, 1956 shall be applicable while deciding heirship of the deceased. *In view of the schedule provided in the said Act applicants are the class I heirs of the deceased.* Here in the matter, as the applicants being legal heirs as mentioned in Class I entry, therefore, they are required to be recognized as legal heirs of the deceased **Kasturi Shankar Hiremath**. All the documents and evidence before Court is sufficient to issue heirship certificate in the names of applicants being Class I heirs of the deceased. Hence, I proceed to pass the following order.

### O R D E R

The application is allowed.

Issue Heirship Certificate in the names of applicant no.1A **Shri. Shankar Mallaya Hiremath**, applicant no.1B **Shri. Basavraj Shankar Hiremath**, applicant no.1C **Gurushant Shankar Hiremath**, and applicant no.1D **Rupali Basalingaya Hiremath** declaring them to be formally recognized as heir of deceased **Kasturi Shankar Hiremath** on depositing requisite Court Fee Stamp as per rules.

The applicants shall execute an indemnity bond in favour of the Court on non-judicial stamp paper of Rs. 500/-.

Place- Chandgad.  
Dated:- 07/04/2026.

Sd/-  
(V. S. Agrawal)  
Civil Judge Jr. Division, Chandgad.