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| MHKO140009602025  | <u>ORDER BELOW EXH. 1 IN CIVIL M.A.NO.50/2025</u> Irappa Shankar Patil Vs. Nil |
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This is an application for grant of Heirship Certificate under Section 3 of Bombay Regulation Act, 1827.

02. According to the applicants, father of applicant no.1 to 4 namely deceased Shankar Krishna Patil has died on 29/09/2017 at Halkarni, Tal. Chandgad, kolhapur due to illness and leaving behind the applicant no.1 to 4 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 register of public trusts in the registration office. Therefore, this application is filed for grant of heirship certificate. This application is supported with the affidavit of applicant no.1.

03. In support of their claim, the applicant has filed evidence affidavits of witness no.1 at **Exh.11**. They reiterated the contents of the application. The applicants have also filed some documents on record viz. death certificate, police patil certificate and aadhar card of deceased Shankar Krishna Patil and Letter from, verified copy of Aadhar card of applicant No.1 to 4 at **Exh.3**, copy of newspaper "Tarun-Bharat" dated 12/01/2026 at **Exh.10**. That, the evidence has been closed at **Exh.12**.

04. After considering the pleading, evidence on affidavits of the applicant no.1, 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 Shankar Krishna Patil. 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.

ORDER

The application is allowed.

Issue Heirship Certificate in the names of applicant no.1 **Shri. Irappa Shankar Patil**, applicant no.2 **Shri. Manohar Shankar Patil**, applicant no.3 **Smt. Parvati Shankar Patil**, and applicant no.4 **Sou. Ranjana Suresh Patil** declaring them to be formally recognized as heir of deceased Shankar Krishna Patil 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:- 30/03/2026.

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