

MHLA090041352022



ORDER BELOW EXH.1 IN RCS NO.1033/2022

Present suit is filed for declaration, injunction and partition and separate possession. As per contention of the plaintiff her daughter was married to Akhil Sayyed. Her daughter namely Parveen Hashmi Sayyada Nikat has died on 09.07.2020. After her marriage her husband has performed second marriage. As per Muslim Law on the death of Parveen Hashmi Sayyada Nikat 1 / 2 share will be succeeded by her husband. The present suit is filed by mother of Parveen Hashmi Sayyada Nikat. Nothing is filed on record whether father of Parveen Hashmi Sayyada Nikat is alive or not also nothing is mentioned about children of deceased Parveen Hashmi Sayyada Nikat and Akhil Sayyed. Hence plaintiff to argue on the maintainability of the suit as per provisions of Muslim Law. Plaintiff is also directed to file on record certified copy of heirship certificate granted in Civil M.A.No.399/2020.

Udgir
Dt:- 18/06/2024

(K.A. Powar)
2nd Jt. Civil Judge J.D.,
Udgir