

MHLA140000582026

Civil M.A.No.30/2026



**Order Below Exh. No. 1**

This is an application filed by the applicant for issuance of Heirship Certificate under Bombay Regulation VIII (2), 1827. In support of her claim, she has filed documents along with list Exh.4 and affidavit of evidence (Exh.11).

2. It is contended by the applicant that her mother namely Anusaya Vishwanath Sirsat died on 03.12.2025 at Ausa Tq. Ausa Dist. Latur. At the time of death, deceased Anusaya Vishwanath Sirsat lived with said applicant. Except the applicant deceased Anusaya Vishwanath Sirsat has no any other legal heirs. Thus, applicant prayed to issue heirship certificate in her name.

3. In support of her claim, applicant filed documents viz., original copy of death certificate of deceased Anusaya Vishwanath Sirsat (Ex.14). From death certificate (Exh.14) it reveals that Anusaya Vishwanath Sirsat died on 03.12.2025. The legal heir of present deceased has filed the photocopy of her Aadhar-card on record. The bailiff report is at Exh. No.13.

4. After completion of all formalities, publication was made in the daily news paper 'Dainik Vishwauday' dated 10.01.2026 at Exh.10 and objections were called. But after publication, nobody has raised any objection regarding the claim of the applicant till date. The contentions of applicant have been supported by her affidavit

(Exh.11). Applicant has filed evidence close purshis (Exh.12). Thus, since there is no objection received within stipulated period regarding the claim of applicant, in my opinion, applicant is the only legal heir of deceased Anusaya Vishwanath Sirsat. As the applicant being the legal heirs of deceased Anusaya Vishwanath Sirsat, prayed to issue Heirship Certificate in her name. Considering the evidence placed before me and the fact that claim of the applicant remaining unchallenged, it appears that applicant is legal heir of deceased Anusaya Vishwanath Sirsat. Hence, it would be just and proper to issue Heirship Certificate in favour of applicant as prayed.

5. It is well settled position of law that Bombay Regulation II of 1827 provides for **mere formal recognition of heirs**, executors and administrators and for the appointment of administrators and managers of property by the Courts and the certificate does not create or confirm any rights, title or interest in itself.

6. In view of above discussion, it is crystal clear that applicant has *prima-facie* proved her claim for issuing heirship certificate, and there is no bar to issue the same in her favour. In the result, I pass the following order-

### **ORDER**

1. Application is allowed.
2. Issue heirship certificate in favour of applicant after depositing requisite Court-fees as per Schedule I Article 12 of Maharashtra Court Fees Act 1959.
3. The applicant to file full inventory of all the properties and credits of deceased **Anusaya Vishwanath Sirsat** under the certificate as per para 312 of the Civil Manual.

4. The heirship certificate mere formally recognized that applicant is the heirs of deceased **Anusaya Vishwanath Sirsat**. It does not create or confirm any rights, title or interest in itself.

(Dictated and pronounced in open Court)

**Ausa.**

**Date: - 13.03.2026.**

**(Smt. S. H. Nalawade)**

**3<sup>rd</sup> Jt. Civil Judge Jr.Dn., AUSA.**