

MHLA140031042025

Civil M.A.No.946/2025



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 evidence affidavit (Exh.11).

2. It is contended by the applicant that her husband namely Narsing Saudagar Chandure died on 01.07.2025 at Latur, Tq. & Dist. Latur. At the time of death, deceased Narsingh Saudagar Chandure lived with said applicant and legal heirs no. 1 to 3 mentioned in the paragraph no. 6 of application. Except the applicant and legal heirs no. 1 to 3 mentioned in the paragraph no. 6 of application deceased Narsingh Saudagar Chandure has no any other legal heirs. The applicant has filed photo copy of deceased Aadhar Card vide Ex. No. 17, which indicates that deceased Narsingh was the resident of Fattepur Tq. AUSA Dist. Latur. Thus, applicant prayed to issue heirship certificate in their name.

3. In support of her claim, applicant filed documents viz., original copy of death certificate of deceased Narsing Saudagar Chandure (Ex.16). From death certificate (Exh.16) it reveals that Narsingh Saudagar Chandure died on 01.07.2025. The legal heirs of present deceased have filed the photocopy of her Aadhar-card on record. The bailiff report is at Exh. No.12.

4. After completion of all formalities, publication was made in the daily news paper 'Dainik Gurudharm' dated 18.11.2025 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 has been supported by her evidence affidavit (Exh.11). Applicant has filed evidence close purshis (Exh.13). Thus, since there is no objection received within stipulated period regarding the claim of applicant, in my opinion, applicant and legal heir Nos. 1 to 3 mentioned in the paragraph no. 6 of application are the only legal heirs of deceased Narsingh Saudagar Chandure. As the applicant and legal heirs of deceased Narsingh Saudagar Chandure, prayed to issue Heirship Certificate in their name. Considering the evidence placed before me and the fact that claim of the applicant remaining unchallenged, it appears that applicant and legal heir no. 1 to 3 mentioned in the paragraph no. 6 of application are legal heirs of deceased Narsingh Saudagar Chandure. Hence, it would be just and proper to issue Heirship Certificate in favour of applicant and legal heirs no. 1 to 3 mentioned in the paragraph no. 6 of application 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 their favour. In the result, I pass the following order-

ORDER

1. Application is allowed.
2. Issue heirship certificate in favour of applicant and legal heir Nos. 1 to 3 mentioned in the paragraph no. 6 of application 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 **Narsing Saudagar Chandure** under their certificate as per para 312 of the Civil Manual.
4. The heirship certificate mere formally recognized that applicant and legal heirs Nos. 1 to 3 mentioned in the paragraph no. 6 of application are the heirs of deceased **Narsing Saudagar Chandure**. It does not create or confirm any rights, title or interest in itself.

(Dictated and pronounced in open Court)

Ausa.
Date: - 08.05.2026.

(Smt. S. H. Nalawade)
3rd Jt. Civil Judge Jr.Dn., AUSA.