

MHND140017602020



Civil M.A. No.95/2020

Surekha and Ors Vs. Vyankubai & Ors

ORDER BELOW EXH-01

(Passed on 04/04/2026)

- 1) The applicant has preferred present application for grant of heirship certificate.
- 2) It is case of the applicant that applicant is daughter, non-applicant no.1 is widow, non-applicant no.2 to 5 are sons and non-applicant no.6 is daughter of the deceased **Shankarrao Laxmanrao Totawar**, who died on **05/03/2008** leaving behind the applicant and non-applicants as his legal heirs. There is no legal heirs except the applicant and non-applicants. The deceased have not executed any will deed during his life time. The applicant required the heirship certificate for official purpose, therefore, the applicant prayed for issuing the heirship certificate in favour of applicant and non-applicants.
- 3) A public notice was issued in daily news paper “**Nanded Aalami Taherik**” dated 31/12/2021, for calling objections from the public against claim of the applicant. In spite of due service of summons non-applicants no.1, 3, 4 and 6 failed to appear and filed their say. Therefore, application proceeded without say against them. In spite of due service of summons non-applicants no.2 and 5 failed to appear before the Court. Therefore, application proceeded ex-parte against them.

4) The applicants filed documents i.e. copy of heirship certificate issued by Councilor of Municipal Council, Degloor Tq. Degloor at Exh.5/1, photo copy of death certificate at Exh.5/2 which reveals that **Shankarrao Laxmanrao Totawar** died on **05/03/2008**, photo copy of Aadhar card of applicant at Exh.5/3, verified copy of Aadhar card of respondent no.1 at Exh.15, verified copy of School Leaving Certificate of applicant at Exh.37.

5) Applicant **Surekha W/o. Vyankatrao Malshetwar** has examined herself on evidence affidavit at Exh.34 and closed the evidence vide pursis at Exh.38.

6) From the record of case and it reveals that, applicant and non-applicants are the legal heirs of deceased **Shankarrao Laxmanrao Totawar**. Therefore, I have no hesitation to grant heirship certificate in favour of the applicant and non-applicants. Hence, I proceed to pass the following order :

ORDER

- 1) Application is allowed.
- 2) Applicant **Surekha W/o. Vyankatrao Malshetwar** and non-applicant Nos.1) **Vyankubai W/o. Shankarrao Totawar**, 2) **Ramesh Shankarrao Totawar**, 3) **Suresh Shankarrao Totawar**, 4) **Vilas Shankarrao Totawar**, 5) **Vikas Shankarrao Totawar** and 6) **Vijayalaxmi W/o. Ramesh Vargantiwar** are declared to be heirs of deceased **Shankarrao Laxmanrao Totawar**. Accordingly, issue heirship Certificate in prescribed form B in favour of the applicants and non-applicants on payment of required Court-fees.

- 3) The note under paragraph No.312 of Civil Manual, should invariably be appended to the certificate.
- 4) The applicant and respondents shall compliance of Paragraph No. 312 of Civil Manual within 6 months from receiving the heirship certificate. Other wise as paragraph No.313 of Civil Manual she will be liable to punishment under section 211 of Bharatiya Nyaya Sanhita, 2023.

Date : 04/04/2026.

(Raghavendra N. Dev)
Civil Judge, Junior Division,
Degloor Dist. Nanded.

CERTIFICATE

I affirm that the contents of this P.D.F. File
Judgment/Order are same, word to word, as per the original
Judgment/Order.

Name of the Stenographer	G. V. Kulkarni
Name of Court	Shri. Raghavendra N.Dev, C.J.J.D. and J.M.F.C., Degloor.
Date of Dictation	04/04/2026
Judgment signed by the P.O. on	04/04/2026
Judgment/Order uploaded on	06/04/2026