

MHNG130002972026



M.J.C. No. 6/2026

Usha and othrs Vs. NIL

**ORDER BELOW EXH. 01**

(Passed on dated 23<sup>rd</sup> April, 2026)

This application is under The Bombay Regulations VIII of 1827, for grant of heir-ship certificate in relation to deceased Damodhar Pandit Mahurkar died on 13/04/2005 at his permanent residence at Jaiswal Hopital, Rajaji Ward, Tah. Ramtek, Dist. Nagpur.

02] The applicants are the legal heirs of deceased Damodhar Pandit Mahurkarand. They want the legal heir certificate because of some official work of Government and Semi Government institutions i.e. immovable properties, Land Record, Municipal Counsel, Gram Panchayat record, death benefits etc. The deceased Damodhar was ancestor of applicants and he had one son namely Dinesh Damodhar Mahurkar, the husband of applicant No.3 and father of applicant No.4 and three daughters i.e. applicant No.1, 2 and late Asha Sharadrao Kawale, the mother of applicant No.5 and 6. That the husband of applicant No.3 and father of applicant No.4 namely Dinesh Damodhar Mahurkar died on 06/05/2019 and mother of applicant No.5 and 6 namely late Asha Sharadrao Kawale died on 05/04/2018 and having no any other legal heirs except the present applicants. Hence, applicants prayed to allow the application.

03] Accordingly, this Court has issued official proclamation through citation notice and public notice in daily newspaper “Dainik Mahasagar” dated 28/02/2026 at (Exh. 19) circulated locally inviting all the person who disputes the rights of applicants to appear in this Court within one month from the date of proclamation and entire their objections. So also, notices of this application were pasted on the conspicuous portion of Tahsildar Office and Court. However, at the expiration of time mentioned in proclamation, nobody appeared to raise any objection.

04] To prove the application, applicant No.6 has filed evidence of himself and Ravindra Kurve as AW.2. They have filed their affidavit in lieu of examination-in-chief at Exh.7 and 20 and as a proof of applicant’s rights. Some documentary evidence is placed on record i.e. death certificate of Grandfather Damodhar Mahurkar, Grandmother Indu Mahurkar and his mother Asha Kawale and his uncle Dinesh Mahurkar (Exh.8 to 11), copies of aadhaar card of Applicants (Exh. 12 to 17), copy of Heirship Certificate (Exh.18) and Proclamation published in Newspaper “Dainik Mahasagar” dt. 28/02/2026 (Exh. 19).

05] Applicant has also examined one witness namely Ravindra Kurve (Exh. 20). He has deposed that Applicant No.3 and 4 are his relatives. The father of applicant No.1 and 2 and father-in-law of applicant No.3 and grandfather of applicant No.4 and 6, named Damodhar Pandit Mahurkar lived in his neighbourhood. He known the deceased Damodhar and the applicants from many years and he has

good relations with them by visiting their homes. The deceased Damodhar died on 13/04/2005 at Rajaji Ward, Ramtek and having no any other legal heirs except the present applicants. Heard, the arguments advanced by learned advocate for applicants.

06] Considering the matters before this Court, following points arise for my determination. Decisions on them are recorded for reasons to follow:

<b>Sr.No.</b>	<b>Points</b>	<b>Findings</b>
1)	Whether the applicants are heirs of deceased Damodhar Pandit Mahurkar ?	..Yes.
2)	Whether applicants are entitled to be declared as formally recognized heirs of deceased Damodhar Pandit Mahurkar?	..Yes.
3)	What order ?	As per final order.

### **REASONS**

#### **As to point Nos. 1 to 3 :-**

07] Witnesses examined has reiterated the contention in this application with precision in regard to name of deceased supra along with date of death, relationships of applicants with deceased supra. Applicants are the only heirs of deceased supra and for the purpose supra. Even after issuance of proclamation and expiration of the time mentioned in it, nobody has appeared application to raise any objection. Therefore, evidence of witnesses are unchallenged.

Sufficient, cogent and reliable evidence is brought on record to prove that, applicants are the only heirs of deceased supra. There is absolutely no legal impediment in granting the CERTIFICATE OF HEIRSHIP. Therefore, I think it fit to grant certificate declaring applicants as formally recognized heirs of deceased supra. Resultantly, I answer points No. 01 & 02 in the affirmative and to answer point No.03, pass the following order :

**ORDER**

- 1) The application is allowed.
- 2) It is declared that, applicants No.1 to 6 are formally recognized heirs of deceased Damodhar Pandit Mahurkar for general purpose in regard to deceased and which are mentioned in the application and affidavit.
- 3) Issue Certificate of Heir-ship in form Appendix B in the name of applicants on payment of requisite court fees.
- 4) Case and proceedings stands disposed of accordingly.

Ramtek.  
Dt. 23/04/2026.

Sd/-  
( Smt. D. C. Vorani )  
2nd Jt. Civil Judge Junior Division,  
Ramtek.

**CERTIFICATE**

I affirm that the contents of this P.D.F. file of order are same word to word as per original order.

Name of Stenographer : Ku. D.B.Bhivgade  
Stenographer G-III