

MHOS140002562026



IN THE COURT OF CIVIL JUDGE SENIOR DIVISION, PARANDA.
(Presided over by A. A. Shaikh)

Civil M.A. No.35/2026

1. Abhishek Ranjit Ghadge

2. Jayshri Ranjit Ghadge ... Petitioners

V/s.

Anjali Ranjit Ghadge ... Opponent

ORDER BELOW EXH.1

The Petition under Section 2 of the Bombay Regulation VIII of 1827 for recognition of the legal heirs of the deceased **Ranjit Kakasaheb Ghadge** has been considered.

Petitioner's case in brief is as follows :

2. Ranjit Kakasaheb Ghadge died on dated 27/02/2026 within the jurisdiction of this court [hereinafter referred as "Said deceased"]. Petitioner No.1 is Son, Petitioner No.2 is wife and opponent is daughter of deceased **Ranjit Kakasaheb Ghadge**. The petitioners and opponet are Class-I legal heirs of deceased. They are in need of Heirship certificate to transfer their name on the record Government and semi-government facility wherever it is necessary, instead of name of deceased.

3. Proclamation was issued inviting objections from persons, if any, claiming a superior or adverse right. No objections have been received within the prescribed period.

4. The opponent appeared before the Court and filed her say on record. In her say, she has specifically admitted her relationship with the deceased and has further admitted the facts and averments stated in the petition. There is, therefore, no dispute regarding the genealogy, relationship of the parties, or the entitlement of the applicants to seek recognition as legal heirs of the deceased. The said admission lends corroboration to the case of the applicants.

5. The following points arise for my determination alongwith my findings and reasoning thereon against each of the points is as follows :

SR. NO	<u>POINTS</u>	<u>FINDINGS</u>
1	Whether the applicant proves that Ranjit Kakasaheb Ghadge died on 27/02/2026 ?	In the affirmative
2	Whether the petitioners proves that themself and opponent are the legal heirs of the deceased?	In the affirmative
3	Whether the petitioners & opponent are entitled to a Heirship Certificate under Bombay Regulation VIII of 1827 ?	In the affirmative
4	What order ?	As per final order.

REASONS**AS TO POINT NO.1:-**

6. The petitioner No.1 examined himself and produced documentary evidence consisting of:

i) Death Certificate of deceased.

ii) Aadhaar Cards and identity documents of heirs.

iii) Public notice/proclamation.

7. As required under Section 2 of Bombay Regulation VIII of 1827, proclamation was issued inviting objections from persons disputing the claim of the applicant. The proclamation remained published for the prescribed period. No objections have been received from any person. The evidence adduced by the applicant has remained unchallenged. The Death Certificate establishes the death of Ranjit Kakasaheb Ghadge. The oral and documentary evidence further establishes that the persons mentioned in the petition are the legal heirs of the deceased. The Court is therefore satisfied that the petitioners have proved the claim and is entitled to recognition of heirship and issuance of a Heirship Certificate under Bombay Regulation VIII of 1827.

8. The Hon'ble Bombay High Court, Nagpur Bench, in Writ Petition No.6954 of 2018 (Smt. Sushilaben Wd/O Ramniklal Vs. Sou. Madhulata Pradumna Gambhir) 1 February, 2019 in para no.6 observed as follows:

"A perusal of Section 2 of the aforesaid Act and the application filed by the petitioner thereunder shows that the only prayer made by the petitioner is for grant of heirship certificate to declare that she is the only heir of the deceased Ramniklal Gandecha. A

perusal of the objection raised on behalf of respondent no.1 shows that the said respondent has admitted the fact that the petitioner was the only wife of the deceased Ramniklal Gandecha and that they had no children. In view of the aforesaid facts, it would be evident that the claim made in the application filed by the petitioner under the provisions of the said Act, even if granted, would not result in recognition of any rights of the petitioner in respect of the said house property and that an application for mutation before the competent authority, if preferred by the petitioner, would be decided as per law after issuance of notice by the competent authority. Grant of heirship certificate would not ipso facto lead to recognition or crystallization of any rights of the petitioner in the house in question. At best, it would assist the petitioner in claiming that she was entitled to the rights that the deceased Ramniklal Gandecha was entitled, as his only heir."

9. The Hon'ble Bombay High Court, in Misc. Petition (L) No.2428/2015 (Ankit Bhagwaticharan Verma (deceased) and Vinita Ankit Verma (petitioner), Dated 16/3/2016 in para no.8 observed as follows:

"This clearly establishes that a certificate issued under Bombay Regulation VIII of 1827 confers no right to any property. It only indicates a person who (for the time being) is in the legal management of it. It can always be annulled on proof that another person has a preferable right"

10. The unchallenged evidence on record shows that Ranjit Kakasaheb Ghadge died on dated 27/02/2026 leaving behind him petitioners and opponent. The petitioners and opponent are the only class-I heirs of the deceased. They want to recognize their right formally by the Court. The Court is satisfied that the petitioners have established their status as the legal heirs of the deceased Ranjit Kakasaheb Ghadge. Hence, as per the powers conferred by Sec. 3 of the Bombay Regulation Act, (VIII of 1827) and Sec. 28-A(1) of the Bombay Civil Courts Act (XIV of 1869) and Civil Manual Para 304 and 305, I pass following order.

ORDER

1. The petition is allowed.
2. The petitioners 1. Abhishek Ranjit Ghadge 2. Jayshri Ranjit Ghadge, opponent-1. Anjali Ranjit Ghadge are hereby recognized as legal heirs of the deceased Ranjit Kakasaheb Ghadge.
3. The certificate shall not determine title to the property finally and shall be subject to the rights of any person who may establish a better claim in accordance with law.
4. Issue heirship certificate in the name of Petitioners and opponent as per Appendix-B of the Bombay Regulation Act, 1827, alongwith note of Sec. 7 of the said Act and with further note in view of para 312, Chapter XIV of the Civil Manual should be appended to the said certificate.
5. No order as to costs.

Date : 10/06/2026

(A. A. Shaikh)
Civil Judge Senior Division,
Paranda.

(6)

Civil M.A. No.35/2026

CERTIFICATE

I affirm that the contents of this P.D.F. file order is same, word to word, as per the original order.	
Name of the Steno. Grade III	G.I.Khobre
Court	Civil Judge Senior Division, Paranda
Date	10/06/2026
Order signed by the presiding officer on	10/06/2026
Order uploaded on	10/06/2026