

MHPA210006032024



**ORDER BELOW EXH.01 IN**  
**CIVIL M.A. NO. 125/2024,**  
**VANDANA GAIKWAD VS. NIL.**  
**[PASSED ON 04/05/2026]**

The applicant has filed an application seeking the issuance of an heirship certificate under Section 2 of the Bombay Regulation VIII of 1827, recognizing the legal heirs of the deceased, Laxman S/o. Mariba Gaikwad.

**Facts of the Case:**

02. The applicant states that Laxman S/o. Mariba Gaikwad, who resided at Waghalgaon, Tq. Sonpeth, Dist. Parbhani, passed away on 13/05/2021, at Waghalgaon, Tq. Sonpeth, Dist. Parbhani. The applicant, being the daughter-in-law of the deceased, claims that the following individuals are the legal heirs of Laxman : Tejas S/o. Arun Gaikwad (Grandson), Sanghamitra D/o. Arun Gaikwad (Granddaughter) and Rutuja D/o. Arun Gaikwad (Granddaughter). The applicant seeks the heirship certificate for official purposes, and this claim has been duly supported by the applicant's affidavit.

**Publication and Notice:**

03. A publication was made in the daily newspaper Dainik Nyaya Times on 27/08/2025, as shown in Exh.18. A Bailiff's report (Exh.12/A) confirms that the notice was affixed in conspicuous places: the deceased's

house, the Tahsil Office, the Grampanchayat Office, and the Court. Despite this, no objections were raised by any party regarding the applicant's status as the legal heir of the deceased.

**Documents Submitted:**

04. The applicant has submitted an evidence affidavit (Exh.13). The death certificate of the deceased (Exh.16). Copies of the Adhar cards of the applicant and other legal heirs of the deceased (Exh.19 to 22). The applicant also placed on record a copy of Ration Card at Exh.23 which is issued by Tahsildar, Sonpeth Tq. Sonpeth, Dist. Parbhani in their name. The applicant stated on oath that her husband namely Arun S/o. Laxman Gaikwad has already been died. In support of her contention she filed a copy of death certificate of her husband at Exh.17. The applicant also stated on oath that her mother-in-law has already been died.

**Legal principle:**

05. The Court is guided by the Hon'ble Bombay High Court's ruling in Shri. Ganpati Vinayak Achwal's Case, 2015 (2) All MR 285, which held that the issuance of an heirship certificate does not confer the status of an heir upon a person but only formally recognizes the existing status of an individual as an heir.

**Courts finding:**

06. Upon reviewing the evidence and the absence of any

objections, it is clear that the applicant and the other individuals mentioned in the application are the only legal heirs of the deceased. The evidence has not been challenged, and the publication has not elicited any dispute regarding their heirship. Therefore, the grant of the heirship certificate is a formal acknowledgment of the established legal heirship. In light of the unchallenged evidence, documents submitted, and the absence of any objections, there is no reason to prevent the issuance of the heirship certificate. Hence, I proceed to pass the following order;

**ORDER**

1. The application is allowed.
2. The heirship certificate shall be issued as per Appendix B of The Bombay Regulation VIII of 1827 in the name of the applicant and the other legal heir of the deceased, as mentioned in Column No.04 of the application, after the requisite court fees are paid as per the rules.

Date :- 04/05/2026

**(Dr. A.Z. Sayed),**  
Civil Judge, Junior Division,  
Sonpeth.

**CERTIFICATE**

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

Name of the Stenographer	-	Vibhute Balasaheb Anantrao
Name of the Court	-	C.J.J.D. & J.M.F.C., Court, Sonpeth.
Date of Order	-	04/05/2026
Order signed by the Presiding Officer on	-	04/05/2026
Order uploaded on	-	04/05/2026