



ORDER BELOW EXH. 01 IN CIVIL M.A.NO.11/2025
(Chandrakant Bapu Kelaskar and ors 3...VS..Nil)
MHRG130000962025

- 01) This is an application for grant of legal heirship certificate.
- 02) The contention of the applicants are that, deceased Rohini Chandrakant Kelaskar is the wife of applicant no.1 & mother of applicants no. 2 to 4.
- 03) It is the further contention of applicants that, Rohini Chandrakant Kelaskar expired on 03/01/2024 at Shrivardhan, Raigad. There are no other legal heirs of deceased Rohini Chandrakant Kelaskar except the applicants. Applicants wants to obtain heirship certificate certifying that, applicants are the legal heirs of deceased Rohini Chandrakant Kelaskar. The heirship certificate is required for official purposes in government and semi government offices. Deceased Rohini is also having a vehicle bearing No. MH-06-BE-7341 in her name. Certificate is also required to mutate the names of applicants upon the certificate of said vehicle. Thus, applicants filed present application.
- 04) There is no other side, hence proclamation was called, citation notice was issued in local news paper. Notice was also affixed at the Conspicuous part of this court, Gaon chavdi Shrivardhan and Nagarparishad Shrivardhan i.e. the local bodies within whose jurisdiction the deceased used to permanently resided. Notice was also affixed of the residential house of deceased. The applicants relied upon the documents filed on record and evidence. The contentions made by the applicants remained unchallenged. Despite of public citation and above notices, nobody objected the application and knocked the door of the court within

the prescribed period of proclamation.

05) In order to substantiate their case, applicants has filed evidence by way of affidavit of applicant no.1 as AW1 below Exh.12. He tendered his examination in chief under Order 18 Rule 4 of Code of Civil Procedure, 1908 and got marked following documents.

- a) Death certificate of Rohini Chandrakant Kelaskar at Exh.13
- b) Aadhar Cards of applicants at Exh.14 to 17
- c) Citation publication at Exh.19
- d) Certificate of said vehicle at Exh.18

06) As no one appeared in the present case, proceedings remained Ex-parte on all effective date of hearing. Applicants closed their evidence vide *Pursis* at Exh.23. After closing of applicants evidence, applicants advocate submitted the court, to consider the contents of the application, evidence affidavit and exhibited documents as their final argument.

07) I have gone through the application, evidence affidavit and perused the materials placed on record. Based on said materials, the following are the points arisen for my consideration:

Sr.no.	Points	Findings
1	Whether applicants are entitled to be recognized as legal heir of deceased Rohini Chandrakant Kelaskar ?	Yes.
2	What order ?	As per final order

REASONS

As to Points no.1 and 2

08) The examination in chief of applicant no.1 discloses relationship between applicants and deceased Rohini Chandrakant Kelaskar. He reiterated the averments made in the application. He has deposed that, Rohini Chandrakant Kelaskar expired on 03/01/2024 at Shrivardhan,

Raigad and apart from applicants no other person is the heir of deceased. To that effect he has filed certified copy of death certificate of deceased which is duly prove by him in his examination in chief. On perusal of said death certificate, it transpires that, it has been issued by competent concern authority and it further transpires that, the contention made by the applicants in the present application are true and correct.

09) However, it is the matter of probe to inquire that, whether there are others who are deliberately being omitted from their legal entitlement as legal heirs of deceased Rohini Chandrakant Kelaskar. To that purpose objection of public at large was called by issuing citation in daily newspaper "Raigadcha Awaj" dated 12/03/2025 (Exh.19). Further, notice was also affixed at the Conspicuous part of this court, Gaon chavdi Shrivardhan and Nagarparishad Shrivardhan i.e. the local bodies within whose jurisdiction the deceased used to permanently resided. Notice was also affixed of the residential house of deceased. In spite of said proclamation and notices, no objection has been raised by anybody. No one has knocked the door of the court till date, as contrary to the application.

10) The evidence of applicants remained unchallenged so also the documentary evidence. Hence, the claim of the applicants remained unshattered as no one has appeared in the court to rebut the case of the applicant. I have scrutinized the documents placed before me and I am of the view that absolutely, there is no ground to disbelieve or discard the evidence produced by the applicant on record. Hence, there are no reasons to disbelieve the evidence on the side of the applicants. In view of the oral and documentary evidence on record, there is no hurdle to accept the evidence of applicants, hence I accept the same and hold that the applicants have established their case. Therefore, I believe, applicants are the legal heirs of deceased Rohini Chandrakant Kelaskar. In all this circumstances, there appears no hurdle to issue heirship certificate to the

applicants as prayed. Thus point no.1 is answered in affirmative and in answer to point no.2 following order is passed -

ORDER

1.	Application is allowed.
2.	Issue heirship certificate in the name of applicant 1)Chandrakant Bapu Kelaskar 2) Prajakta Chetan Nene, 3) Sayali Chandrakant Kelaskar & 4) Nishigandha Chandrakant Kelaskar stating them as legal heir of deceased Rohini Chandrakant Kelaskar as per rules.
3.	Further, it is hereby clarified that, the heirship certificate issued in favour of the applicants is not the document of his title to the property standing in the name of the deceased and it will not bar the lawful claimants of the same. So also, this certificate does not give the authority to the applicants to use the same for claiming any movable property including the cash amount or security, standing in the name of the deceased.
4.	The applicants are directed to furnish full and true documents in respect of entries wherever made, particularly stated in the application under this certificate within 6 months. A note to that effect be made in the certificate as per the provisions contained in chapter XIV Para 312 of the civil manual.
5.	Court fee shall be payable as per schedule-I Article 12 of Bombay Court Fees Act.

Date : 10/03/2026.

(S. K. Shaikh)
Civil Judge Jr. Division,
Shrivardhan