

MHRG140000222026



Civil M.A. No. 2/2026
Kiran Sitaram Bhoir & ors. vs. Nil

ORDER BELOW EXHIBIT 1

1. Perused the application. Heard learned counsel for the applicants. This application is filed by applicants for issuance of legal heirship certificate under section VIII of the Bombay Regulations Act, 1827.

2. It is the contention of the applicants that, applicant no.1, 2, 7, 8, 11, 12 are grandsons, applicant no.3, 4, 9 and 13 are granddaughters, applicant no.5 is daughter in law, applicant no.6, 10 and 13 are great grand daughter and applicant no.14 is great grand daughter in law of deceased Kusum Ganpat Bhoir. Deceased Kusum Ganpat Bhoir died unmarried on 19.10.1980 at Navin Sheve, Tal. Uran, Dist. Raigad. The applicants are the legal heirs of deceased Sitaram, Hiraji and Vasant, who were the deceased brothers of deceased Kusum Ganpat Bhoir. Deceased Kusum Ganpat Bhoir was having properties at village Sheve, Tal. Uran, Dist. Raigad. That properties were acquired by government. CIDCO has declared additional benefits regarding the land acquired. Applicants being heirs of the deceased Shankar Ganpat Bhoir are entitled to get these benefits. Therefore, they approached the concerned officer who asked for heirship certificate. Hence, they prayed for grant of Heirship Certificate.

3. Perusal of record shows that the applicant no.11 Shri.

Jagdish Vasant Bhoir (AW-1) has filed his affidavit for evidence at Exh.11 and deposed about death of his aunt Kusum Ganpat Bhoir and they are the legal heirs of deceased Kusum Ganpat Bhoir. It appears that the testimony of the applicant Jagdish Vasant Bhoir about death of his mother deceased Kusum Ganpat Bhoir is supported by death certificate filed at Exh.16. Applicants also filed xerox copy of death certificates of deceased Babibai Ganpat Bhoir who is mother of deceased Kusum Ganpat Bhoir on record. Applicants also filed certified copy of death certificate of deceased Padmubai Sitaram Bhoir who was sister in law, Hiraji Ganpat Bhoir who was brother and Rohidas Hiraji Bhoir who was nephew of deceased Kusum Ganpat Bhoir at Exh.41 to 43. Certified copies of awards of village Sheve, unit case no.432, 324+391, 324+391, 324 are filed at Exh.12 to 15. Verified copies of Aadhar cards of applicants are filed at Exh. 17, 19, 21, 24, 27, 29, 31, 34, 36 and 48 to 52 and 55. Verified copies of Pan cards of applicants are filed at Exh. 22, 25, 32, 35, 37. Verified copy of Ration cards of applicants are filed at Exh.20, 23, 26, 28, 30, 33 and 38. Exh.44 is the copy of newspaper i.e. 'Vadalvara' dated 10.01.2026 which shows that the notice of application made by applicants have been issued through paper publication, but no one appeared from public at large in the case. Citation notice was also issued but no one has taken any objection. It appears that the application at Exh.01 for issuance of heirship certificate remained uncontested and unchallenged. In a proceedings for heirship certificate, the court is not required to determine title of the deceased to any property. It is required only to consider whether the persons claiming heirship certificate is/are the heirs of the deceased. Oral and documentary evidence produced by applicants shows that they are only heirs of deceased Kusum Ganpat Bhoir. Therefore, it would be desirable to issue legal heirship certificate in favour of applicants. Hence, I proceed to pass following order:-

ORDER

- i. Present application is allowed.
- ii. The applicants are directed to furnish necessary Court Fee Stamps in terms of provisions of Bombay Court Fees Act 1870, within 30 days from the date of this order, if required.
- iii. It is hereby directed that Heirship Certificate be issued to applicant no.1 **Kiran Sitaram Bhoir**, applicant no.2 **Nilesh Sitaram Bhoir**, applicant no.3 **Kanchana Mahendra Gijam @ Kanchana Sitaram Bhoir**, applicant no.4 **Nanda Nitin Vajekar @ Nanda Sitaram Bhoir**, applicant no.5 **Gangabai Hiraji Bhoir**, applicant no.6 **Asha Rohidas Bhoir**, applicant no.7 **Sagar Rohidas Bhoir**, applicant no.8 **Sahil Rohidas Bhoir**, applicant no.9 **Anita Sandip Patil @ Anita Hiraji Bhoir**, applicant no.10 **Reshma Prakash Mhatre @ Reshma Hiraji Bhoir**, applicant no.11 **Jagdish Vasant Bhoir**, applicant no.12 **Devendra Vasant Bhoir**, applicant no.13 **Ranjana Vijay Mhatre @ Ranjana Vasant Bhoir**, applicant no.14 **Laxmi Bhagwan Bhoir** and applicant no.15 **Vidhi Bhagwan Bhoir**, as legal heir of deceased **Kusum Ganpat Bhoir**.
- iv. Present application is disposed off accordingly.

Uran,
Date: 13.03.2026

Sd/-
(M. S. Quazi)
Civil Judge (J.D.), Uran.