

MHRG140005732024



Civil M.A. No.95/2024
Prashali Prashant Patil 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 Bombay Regulations Act, 1827.
2. It is the contention of the applicants that, applicant is the widow and applicant no.2 and 3 are daughters of deceased Prashant Vasant Patil. Deceased Prashant Vasant Patil died on 05.12.2020 at village Satarhati, Tal. Uran, Dist. Raigad. Deceased Prashant Vasant Patil was having following property:- at Village Satarhati, City survey no.389, Sai Shraddha Housing Society, Ground floor, flat no.001, Uran, Tal. Uran, Dist. Raigad. Applicants being heirs want to record their name as heirs of deceased Prashant Vasant Patil, hence they approached the concerned office who asked for a heirship certificate. Hence, they prayed for grant of Heirship Certificate.
3. Perusal of record shows that the applicant no.1 Prashali Prashant Patil (AW 1) has filed her affidavit for evidence at Exh. 11 and deposed about death of her husband Prashant Vasant Patil and they are the only legal heirs of deceased Prashant Vasant Patil. It appears that the testimony of the applicant Prashali Prashant Patil about death of her husband Prashant Vasant Patil is supported by death certificate filed at Exh.19. Applicants also filed copy of death certificate of deceased Kusum Vasant Patil who was mother of deceased Prashant Vasant Patil at Exh.44. Assesment copy of flat no.001, Sai Shraddha Hou. Soc. is filed at Exh.20. Verified copies of Aadhar card of applicants are filed at Exh.21 to 23.

Verified copy of ration card of applicants is filed at Exh.25. Verified copies of pan card of applicants are filed at Exh.26 to 28. Exh.45 is the copy of newspaper i.e. 'Vadalvara' dated 01.01.2026 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 the only heirs of deceased Prashant Vasant Patil. 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 **Prashali Prashant Patil**, applicant no.2 **Aditi Prashant Patil** and applicant no.3 **Sanskriti Prashant Patil** legal heir of deceased **Prashant Vasant Patil**.
- iv. Present application is disposed off accordingly.

Sd/-

Uran,
Date: 10.03.2026

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