

MHRG140015002025



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.3 is the son and applicant No.1, 2, 4 & 5 are daughters of deceased Shantaram Bhau Mhatre. Shantaram Bhau Mhatre died on 23.01.2024 at Mulekhand, Tal. Uran, Dist. Raigad. Deceased Shantaram Bhau Mhatre was having properties at village Chanje, Taluka-Uran, District-Raigad. That properties were acquired by government. CIDCO has declared additional benefits regarding the land acquired. Applicants being heirs of the deceased Shantaram Bhau Mhatre 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.3 Shri. Bhalchandra Shantaram Mhatre (AW-1) has filed his affidavit for evidence at Exh.11 and deposed about death of his father Shantaram Bhau Mhatre and they are the only legal heirs of deceased Shantaram

Bhau Mhatre. It appears that the testimony of the applicant No.3 Shri. Bhalchandra Shantaram Mhatre about death of his father Shantaram Bhau Mhatre is supported by death certificate filed at Exh-18. Applicants also filed verified copy of death certificate of deceased Sandhya Shantaram Mhatre who was wife of deceased Shantaram Bhau Mhatre at Exh-19. Verified copy of award of Village Chanje unit case No.268/85 at Exh-12. Verified copies of 7/12 extracts of village Chanje, Survey No. 401, 215/13, 396/1/B, 199/4, 52/1/B are filed at Exh-13 to 17. Applicants also filed verified copies of their Aadhar cards at Exh-20 to 24. Applicant filed verified copy of heirship certificate granted in Civil M. A. No. 82/2005 which shows that Kashibai Bhau Mhatre died on 23.01.1994 who was the mother of deceased Shantaram Bhau Mhatre. Exh-25 is the copy of newspaper i.e. 'Vadalvara' dated 28.06.2026 is filed on record 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 applicant No.1 to 5 are the heirs of deceased Shantaram Bhau Mhatre. Therefore, it would be desirable to issue legal heirship certificate in favour of applicant No.1 to 5. Hence, I proceed to pass following order:-

ORDER

- i. Present application is allowed.
- ii. The applicant No.1 to 5 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 **Rajeshree Mahendra Mhatre**, applicant No.2 **Swati Devidas Patil**, applicant No.3 **Bhalchandra Shantaram Mhatre**, applicant No.4 **Sarika Bhavesh Gharat** and applicant No.5 **Neeta Rajesh Patil** as legal heirs of deceased **Shantaram Bhau Mhatre**.
- iv. Present application is disposed off accordingly.

Uran,
Date: 21.04.2026

(S. P. Wankhade)
Civil Judge (J.D.), Uran.