

MHRG140017062025



Civil M.A. No. 225/2025
Bharat Hiraji Patil & ors. vs. Nil

ORDER BELOW EXHIBIT 1

1. Perused the application. Heard learned counsel for the applicant. 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 and 2 are the sons of deceased Hirubai Hiraji Patil @ Hirabai Kondaji Patil. Deceased Hirubai Hiraji Patil @ Hirabai Kondaji Patil died on 20.04.2018 at Kondharipada, Chanje, Tal. Uran, Dist. Raigad. Deceased Hirubai Hiraji Patil @ Hirabai Kondaji Patil was having properties at Chanje, 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 Hirubai Hiraji Patil @ Hirabai Kondaji Patil 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. 1 Shri. Bharat Hiraji Patil (AW-1) has filed his affidavit for evidence at Exh.11 and deposed about death of his mother Hirubai Hiraji Patil @ Hirabai Kondaji Patil and they are the legal heirs of deceased Hirubai Hiraji Patil @ Hirabai Kondaji Patil. It appears that the testimony of the applicant Shri.

Bharat Hiraji Patil about death of his mother Hirubai Hiraji Patil @ Hirabai Kondaji Patil is supported by death certificate filed on record. Verified copy of award of village Chanje, unit case no.112 is filed at Exh.13. Verified copies of Aadhar cards of applicants are filed at Exh.14 and 15 respectively. Verified copy of Ration card of applicants is filed at Exh.16. Exh.27 is the copy of newspaper i.e. 'Kille Raigad' dated 18.01.2026 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 Hirubai Hiraji Patil @ Hirabai Kondaji Patil. Therefore, it would be desirable to issue legal heirship certificate in favour of applicant. 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 **Bharat Hiraji Patil** and applicant no.2 **Vasudev**

Hiraji Patil as legal heir of deceased **Hirubai Hiraji Patil @
Hirabai Kondaji Patil.**

iv. Present application is disposed off accordingly.

Uran,
Date: 09.03.2026

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