

MHRG140027162025



Civil M.A. No. 335/2025

Kamlakar Keshav Mhatre and 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 is the son, applicant no. 2 and 3 are grandchildren and applicant no. 4 to 7 are daughters of deceased Yamuna Keshav Mhatre. Deceased Yamuna Keshav Mhatre died on 07.01.2023 at Navin Sheva, Tal. Uran, Dist. Raigad. Deceased Yamuna Keshav Mhatre was having properties at Sheva, 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 Yamuna Keshav 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. 1 Shri. Kamlakar Keshav Mhatre (AW-1) has filed his affidavit for evidence at Exh.11 and deposed about death of his mother Yamuna Keshav Mhatre and they are the legal heirs of deceased Yamuna Keshav Mhatre. It appears that the testimony of the applicant Kamlakar Keshav Mhatre

about death of his mother deceased Yamuna Keshav Mhatre is supported by death certificate filed at Exh.15. Applicants also filed death certificates of deceased Keshav Vitthal Mhatre who was husband, Vasant Keshav Mhatre who was son and Yogita Vasasnt Mhatre who was daughter in law of deceased Yamuna Keshav Mhatre at Exh.16 to 18. Certified copy of award of village Sheva, unit case no.341/I, 341/II and 341/III are filed at Exh.12 to 14. Verified copies of Aadhar card of applicants are filed at Exh.19 to 23 and 35. Verified copies of Pan cards of applicants are filed at Exh.24 to 27 and 34. Verified copies of Ration cards of applicants are filed at Exh.28 to 33. Exh.36 is the copy of newspaper i.e. 'Vadalvara' dated 15.01.2026 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 Yamuna Keshav Mhatre. 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 **Kamlakar Keshav Mhatre**, applicant no.2 **Mayank Vasant Mhatre**, applicant no.3 **Manthan Vasant Mhatre**, applicant no.4 **Renuka Shantaram Tandel**, applicant no.5 **Janabai Shantaram Gharat**, applicant no.6 **Sangita Moreshwar Patil**, applicant no.7 **Laxmi Pralhad Patil**, as legal heir of deceased **Yamuna Keshav Mhatre**.
- iv. Present application is disposed off accordingly.

Uran,
Date: 09.03.2026

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