

CNR NO.MHSO060004462025



Presented on : 07.04.2025
 Registered on : 08.04.2025
 Decided on : 30.07.2026
 Duration : Yrs. Ms. Days
 01 03 23

IN THE COURT OF JOINT CIVIL JUDGE, SENIOR DIVISION,
PANDHARPUR,

(Presided over by Atul B. Jadhav)

R.C.S.No.39/2025

Exh.No.15

- 1) Smt. Janabai Ankush Rane
Age – 65 years, Occ. – Household
- 2) Raju Ankush Rane
Age – 48 years, Occ. – Business
- 3) Ganesh Ankush Rane
Age – 39 years, Occ. – Driving
Plaintiff Nos.1 to 3 R/o. Near Swami
Samarth Temple, behind Bharat Cotton
Mill, Madhav Nagar road, Kupwad,
Tal. Miraj, Dist. Sangali.
- 4) Sou. Reshma Rajendra Bhosale
Age – 42 years, Occ. - Household
R/o. Ramkrushna Nagar, Kupwad,
Tal. Miraj, Dist. Sangali.

... Plaintiffs

Versus

State of Maharashtra
Through Collector, Solapur.

... Defendant

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 Suit – For declaration of civil death under Section 34 of the Specific
 Relief Act
 =====

Adv. for plaintiff	: Smt. S. B. Patil
Adv. for defendant	: Exparte

JUDGMENT

(Delivered on this 30th day of July, 2026)

The present suit is filed by plaintiffs for declaration of civil death of Ankush Babu Rane as per the provisions of Section 34 of the Specific Relief Act r/w. Section 108 of the Evidence Act and Section 9 of the Code of Civil Procedure, 1908.

The brief case of plaintiff's is as under -

2) The plaintiffs are the permanent resident of Kupwad, Tal. Miraj, Dist. Sangali. Plaintiff No.1 is the wife of Ankush Babu Rane. Plaintiff Nos.2 and 3 are the sons and plaintiff No.4 is the daughter of Ankush Babu Rane. Ankush Rane was in service of Madhavnagar Cotton Mill, Madhavnagar. On 20.02.2018 Ankush had left his home for maintaining his agricultural land situated at Bramhapuri, Tal. Mangalwedha, Dist. Solapur. On 22.02.2018 he proceed to his home at Kupwad. For that purpose his cousin brother Raju Dnyanu Rane left him on Mangalwedha S.T.stand. He did not return back to home. Plaintiff took his search. But he was not traced out. He went missing from 22.02.2018. Therefore, Plaintiff No.2 Raju Rane filed missing complaint bearing No.13/12018 on 03.03.2018 at Mangalwedha Police station. Police also took his search. He is missing for more than 7 years. Therefore, plaintiffs have filed the suit to seek declaration that, Ankush Babu Rane died civil death since he went missing from 22.02.2018. He is not heard since then.

3) The defendant served with suit summons (Exh.6) but failed

to appear. Hence, suit is proceeded exparte against the State of Maharashtra.

4) Heard Ld. Advocate for plaintiffs at length. Perused records. The following points are arise for determination. I have recorded my findings against them for the reasons stated below.

<u>NO.</u>	<u>ISSUES</u>	<u>FINDINGS</u>
1.	Is Ankush Babu Rane missing from .. 22.02.2018 ?	Yes
2.	Is Ankush Babu Rane not being heard of .. for 07 years by those who would have naturally heard of him, if he had been alive ?	Yes
3.	Are plaintiffs entitled for declaration as .. sought ?	Yes
4.	What reliefs and order ?	.. As per final order

: REASONS :

5) Plaintiff's evidence

Sr.No.	Name of witness	Exhibit	Status
1.	Raju Ankush Rane	9	Plaintiff No.2
2.	Rajendra @ Raju Dnyanu @ Dnyanoba Rane	13	Witness

6) Documentary evidence

Sr.No.	Document	Exhibit
1.	Missing report filed by plaintiff No.2 in Mangalwedha Police station	10

2.	General Diary details of Mangalwedha Police station	11
3.	Paper publication dated 27.07.2025	12

7) Evidence close pursis of plaintiff is at Exh.14.

8) Defendant did not lead any oral or documentary evidence.

AS TO ISSUE NOS.1 TO 3

9) In support of their contentions plaintiff (PW1) examined himself at Exh.9 and witness Raju @ Rajendra Dnyanu @ Dnyanoba Rane (PW 2) examined at Exh.13. Their evidence are verbatim reproduction of the contents of plaint. They contended that, Ankush Babu Rane went missing for more than 8 years. They searched him. Plaintiff No.2 Raju Ankush Rane had been to the police station to lodge missing report. He issued public notice about the missing of Ankush Rane and invited objection to the suit.

10) Upon perusal of all relevant documents it is seen that, Ankush Babu Rane is missing from 22.02.2018. Thus, 7 years have been lapsed. Moreover, police and his family members did not find out Ankush Babu Rane. Inspite of due search Ankush Babu Rane could not be traced out. The documents and oral evidence of plaintiff (PW 1) at Exh.9 and witness Rajendra Dnyanoba Rane (PW 2) shows that, Ankush Babu Rane is missing since 22.02.2018. No formal objection inspite of public notice (Exh.12) received by this court. Therefore, the claim of plaintiffs for grant of civil death declaration needs to be granted as Ankush Babu Rane has been missing since 22.02.2018 i.e. more than 7 years. The period of 7 years have already been lapsed.

The plaintiff's evidence remain unchallenged. Therefore, no reason to disbelieve the version of plaintiffs. Therefore, plaintiffs are entitled to get the declaration of civil death as sought by them. Hence, I answer issue Nos.1 to 3 in the 'affirmative.'

AS TO ISSUE NO.4

11) On the basis of my findings towards issue Nos.1 to 3, the suit deserves to be decreed. With this I pass the following order.

O R D E R

- 1) Suit is hereby decreed.
- 2) It is hereby declared that, Ankush Babu Rane is a dead person and his death is civil death as he is missing since 22.02.2018.
- 3) Plaintiffs to bear their own cost.
- 4) Decree be drawn up accordingly.

Date :- 30.07.2026
Place :- Pandharpur.

(Atul B. Jadhav)
Jt. Civil Judge Senior Division,
Pandharpur.

CERTIFICATE

I affirm that the contents of this PDF file are same word to word as per the original.

- (a) Name of the Stenographer : Suresh M. Malkapalli
- (b) Court : Jt. Civil Judge (S.D.),
Pandharpur.
- (c) Signed by P.O. On : 30.07.2026
- (d) Uploaded on : 30.07.2026