

ORDER BELOW EXH. 1 IN SUCCESSION NO. 58/2025

(Shakuntala Arjun Thorat and ors. Vs. Nil.)

1. This is an application filed by the applicants for grant of Heirship certificate under Bombay Regulation Act, 1827.

2. The brief facts of the application are as follows :-

That, the applicant no. 1 to 4 are the legal heirs of Arjun Jagannath Thorat. Further Arjun has died on 22/07/2025 at Malthan, Tal. Phaltan. It is further contended that, the applicant no. 1 to 4 are the only the legal heirs of deceased Arjun Jagannath Thorat. Further they have contended that deceased was working at Pramilatai Chavan High school and junior college Phaltan and they are in need of legal heirship certificate for the service benefits of the deceased. Hence, applicants have filed the present application and prayed for heirship certificate.

3. After filing of application the proclamation and citation notice was issued. Thereafter, paper notice published in local newspaper dated 21/12/2025 and objections were called upon but till date no objections are received.

4. In the present application the applicants have filed copy of death certificate of deceased Arjun Jagannath Thorat at Exh. 14, which shows that, he has died on 22/07/2025. The applicants have filed copy of Aadhar card vide Exh. 16 to 19. The applicant no. 1 has filed her evidence affidavit vide Exh.10, Paper notice Exh. 20 was duly published in daily "Sakal" newspaper.

5. The applicants have on oath stated that, they are the only legal heir of Arjun Jagannath Thorat. The document filed on record shows that the deceased was permanent resident of Lohar galli, Mahatpura Peth, Malthan, Phaltan, Tal. Phaltan and has died at Phaltan and hence this court is having jurisdiction to entertain the application.

6. The applicants are stating that they are the only legal heir of Arjun Jagannath Thorat. So considering the contentions of applicants, I hold that there is no reason to disbelieve them. Further, nobody have resisted the claim of the applicants within the stipulated period of one month and thereafter till today, inspite of due publication of public notice and citation.

7. So considering the scope and ambit of the application only point of legal heirship is to be seen and not the other rights and interest are to be determined. Thus, for this reason as applicant no. 1 being wife and applicant no. 2 to 4 being the children of deceased Arjun Jagannath Thorat they all are entitled to get heirship certificate in their name as a legal heir of deceased Arjun Jagannath Thorat.

Thus, I do not hesitate to formally recognize the applicants as legal heir of deceased Arjun Jagannath Thorat. Hence, the order.

ORDER

1. Application is allowed.
2. Heirship certificate be issued in the name of applicant no. 1 to 4 as per rule.

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3. Issue Heirship certificate after payment of requisite court fees as per law.
4. Application is disposed off accordingly.

Date: 09/06/2026
Phaltan

(V. S. Wagh)
2nd Jt. Civil Judge Jr. Division.
Phaltan, Dist. Satara.