

MHST200007002025



Presented on : 12/12/2025
Registered on : 17/12/2025
Decided on : 17/06/2026
Duration : 00 06 05
Yr Ms Ds

IN THE COURT OF CIVIL JUDGE SENIOR DIVISION AT WAI,
TAL-WAI, DIST- SATARA.
(Presided over by K.S.Suryawanshi)

Succession Appln. No.21/2025

Exh. No. :

Vaishali Shamrao Karpe,

Age :- 49 years, Occup. :- Nil,
R/o.Behind S.T. Stand, Galli No.9]
Dattanagar, Sidhanathwadi, Wai
Tal-Wai Dist-Satara.

...Petitioner.

VERSUS

1. Vivekanand Shamrao Karpe,

Age :- 63 years, Occup. :- Retired,
R/o- Chal No.2, Room no.8,
Navin Sanjay Niwas,
near Abhyuday Bank,
Jangal Mangal road, Bhandup (West)
Mumbai – 400 078.

2. Deepak Shamrao Karpe,

Age :- 60 years, Occup. :- Retired,
R/o- City Trust Co-op. Housing Society,
Bhele Sweet Shop lane, B- wing,
10th Floor, Room No.1005,
First Cross lane, N.M.Joshi Marg,
Bhaykhala East, Mumbai – 400 011.

...Respondents.

.....
For Applicant :- Shri. R.V.Patil, Learned Advocate.
For Respondents :- Shri. L.S.Khamkar, Learned Advocate.
.....

JUDGMENT

(Delivered on day of 17th June, 2026)

Applicants moved an Application under section 372 of Indian Succession Act, 1925 for grant of Succession Certificate.

2] Applicant submitted that, respondent Nos.1 and 2 are her brothers. Their father namely Shamrao Dharmaji Karpe as working as PSI at Mumbai. He retired on 31.08.1995. Said Shamrao died on 28/07/2011 at Balaji Park Hospital, Bhaykhala, Mumbai. After the death of Shamrao, mother of applicant i.e. Bhagirathi, applicant herself and respondent nos.1 and 2 i.e. Vivekanand and Deepak were the legal heirs. After the death of Shamrao, mother of applicant i.e. Bhagirathi was getting the pension and other service benefits of deceased Shamrao. Bhagirathi Shamrao Karpe died on 07/11/2019. Applicant and respondent Nos.1 and 2 are the only legal heirs and successors of deceased Shamrao and Bhagirathi. Applicant is unmarried and was taking care of mother Bhagirathi till her death. Applicant has no source of income. Her brothers i.e. respondent nos.1 and 2 are retired persons and getting pension.

3] On 22/05/2024 and 27/05/2024 applicant applied to the concerned office for getting pension which was getting to her mother. Applicant claim her right over pension which was getting to her mother, in view of the successor of deceased Shamrao and deceased Bhagirathi. Hence, this Application.

4] Citation Notice and Paper Publication are complied with. Respondent Nos.1 and 2 appeared and filed their say to this application at

Exh.13. They have no objection to issue succession certificate in the name of applicant.

5] Heard Mr.R.V.Patil, Learned Advocate for the applicant and Mr.L.S.Khamkar, Learned Advocate for the respondent nos.1 and 2.

6] After hearing and on the basis of pleadings, the points that arise for my determination are as follows and I have recorded my findings against each of them for the reasons discussed below:-

<u>POINTS</u>	<u>FINDINGS</u>
1. Is the Applicant entitled for Succession Certificate ?	Yes.
2. What Order ?	Application is allowed.

REASONS

AS TO POINT NO. 1 :

7] Applicant adduced her evidence on affidavit (Exh.18). She has contended as per pleading in the Main Application(Exh.1). She has stated that, respondent Nos.1 and 2 are her brothers. Their father namely Shamrao Dharmaji Karpe as working as PSI at Mumbai. He retired on 31.08.1995. Said Shamrao died on 28/07/2011 at Balaji Park Hospital, Bhaykhala, Mumbai. After the death of Shamrao, her mother i.e. Bhagirathi, applicant herself and respondent nos.1 and 2 i.e. Vivekanand and Deepak were the legal heirs. After the death of Shamrao, her mother i.e. Bhagirathi was getting the pension and other service benefits of deceased Shamrao. Bhagirathi Shamrao Karpe died on 07/11/2019. She and respondent Nos.1 and 2 are the only legal heirs and successors of deceased Shamrao and Bhagirathi. She is unmarried and was taking care of mother Bhagirathi till her death. Applicant has no source of

income. Her brothers i.e. respondent nos.1 and 2 are retired persons and getting pension. Applicant claim her right over the afore-mentioned pension which was getting to her mother Bhagirathi after the death of her father Shamrao. Hence, Applicant prayed for issuing succession certificate in her name.

8] Applicant relied upon copy of Paper Publication (Exh.11), death certificates of Shamrao and Bhagirathi (respectively at Exh.21 & 22), Letter issued by Additional Police Commissioner, Central Regional Department, administrative officer dated 16/06/2025 (Exh.23), Pension Account Statement of deceased Bhagirathi (Exh.24), copy of pension order of Shamrao Karpe (Exh.25) and copy of Government Resolution dated 07/01/2025(Exh.27).

9] Perusal of record shows that, respondent Nos.1 and 2 have no objection to issue succession certificate in the name of applicant. Therefore, the claim and the evidence of Applicant remained unchallenged. It appears that, the Applicant and respondent Nos.1 and 2 are the only legal heirs and successors of deceased Shamrao and Bhagirathi.

10] The Letter issued by Additional Police Commissioner, Central Regional Department, Administrative Officer dated 16/06/2025 (Exh.23), Pension Account Statement of deceased Bhagirathi (Exh.24) and copy of pension order of Shamrao Karpe (Exh.25) are the documentary proof sufficient enough to show that mother of applicant i.e. Bhagirathi was getting pension of her husband i.e. Shamrao after his death. On perusal of the Government Resolution (Exh.27), it appears that as applicant is unmarried daughter of deceased Shamrao and Bhagirathi is entitled to get the after death pension benefit of them. Thus, respondents have no objection, it stands proved that, Applicant is entitled to get succession certificate in her name. For all the aforementioned reasons, I have answered Point No.1 in affirmative and recorded my finding accordingly.

AS TO POINT NO. 2 :

11] In view of affirmative finding as to Point No.1, Applicant deserve the relief. Thus, it is necessary to grant certificate in the name of Applicant.

12] In the result following order is passed;

ORDER

1] Application (Exh.01) is allowed.

2] Applicant is entitled to the Succession Certificate.

3] Issue Succession Certificate in the name of **Applicant Vaishali Shamrao Karpe** for the purpose of getting pension benefit which was getting to her mother Bhagirathi after the death of father Shamrao.

Wai
Date: 17.06.2026

(K.S.Suryawanshi)
Civil Judge Senior Division,Wai
Dist-Satara.

CERTIFICATE

I am affirm that the contents of this [P.D.F.](#), file Order are same, word to word, as per the original order.

Name of the Stenographer	:- G.M.Kulkarni (Steno Grade-II)
Court	:- Civil Judge Senior Division, Wai. Dist. Satara.
Decided on	:- 17.06.2026
Order signed by the presiding officer on	:- 17.06.2026
Judgment/order uploaded on	:- 17.06.2026