

IN THE COURT OF JT. CIVIL JUDGE (J.D.) AT NANDURBAR**(Presided over by – Smt. Y. K. Raut)****Civil Misc. Application No. 844/2022****CNR-MHNB020012562022**

- 1) **Bhagvanti Aatmaram Gurbakshani,**
Age – 81 Yrs., Occu. - Household,
 - 2) **Mahesh Aatmaram Gurbakshani,**
Age – 44 Yrs., Occu. - Business,
 - 3) **Anil Aatmaram Gurbakshani,**
Age – 42 Yrs., Occu. - Business,
All R/o Old Shindi Colony, Nandurbar,
Tal & Dist Nandurbar.
- ... -Applicants-**

// V/s. //

None.

... -Respondent-

(The late Aatmaram Tikyamal Shindi, died on 07/05/1985.)

Order below Exh.1

(Passed on 27th March, 2023)

- 1) The applicant has filed this application under the Bombay Regulation Act, 1827 for obtaining the heirship certificate.
- 2) The citation was issued and published in the newspaper daily 'Nand darshan' dated 11/10/2022 calling upon objections from the public at large. However, nobody came forward to raise objection to the applicants' claim.
- 3) Applicant No.1 has filed his affidavit of evidence at Exh.11. Besides the oral evidence the applicants have filed certain documents with list Exh.3. The said documents are :- 1) Photocopy of death certificate and photocopy of late Aatmaram Tikyamal Shindi; 2) Photocopies of Aadhar Card of the all applicants.
- 4) The applicants further produced copy of news paper daily

'Nand darshan' dated 11/10/2022.

5) Applicant No. 1 in her affidavit filed in lieu of evidence reiterated all the facts stated in the application. It reveals from her evidence that her husband the Late Aatmaram Tikyamal Shindi has died on 07/05/1985 at Sindhi Colony, Nandurbar Tal & Dist Nandurbar. The late Aatmaram Tikyamal Shindi is hereinafter referred to as the deceased. It reveals that applicant No.1 is widow, applicant Nos. 2 & 3 are son of the deceased. It further reveals that the deceased was permanent resident of Sindhi Colony, Nandurbar Tal & Dist. Nandurbar. It reveals that applicants are the only heirs of the deceased. It reveals that the heir-ship certificate is required by the applicants to submit the same before government authorities. However, in this context, I would like to mention that it is well settled that the person seeking heirship certificate does not derive any right or title to the property of the deceased under such heirship certificate except to be recognized as the heirs of the deceased.

6) Though, the citation was issued and published in daily 'Nand darshan' dated 11/10/2022, nobody came forward to raise objection to the applicants' claim. Evidence of the applicants remained unchallenged. Therefore, there is no reason to disbelieve the applicants' claim. Accordingly, the application deserves to be allowed. Hence, I pass the following order.

O R D E R

(1) The application is allowed.

(2) The applicants are hereby recognized as the heirs of the late **Aatmaram Tikyamal Shindi**.

(3) Accordingly, heirship certificate be issued in the names of the applicants on payment of requisite Court fee.

Place : Nandurbar
Date : 28/03/2023

(**Smt. Y. K. Raut**)
Jt. Civil Judge, Junior Division,
Nandurbar

C E R T I F I C A T E

I certify that the contents of this PDF File are word to word as per Original Order.

Name of the Steno :- N. R. Patil

Name of the Court :- Jt. Civil Judge Junior Division, Nandurbar

Date of sing :- 28/03/2023

PDF Uploading Date :- 28/03/2023

Sd/-
Stenographer