

MHWR100011152025

MJC.No. 61/2025

Khalil Khan Ismail Khan + 11 Vs. Nil

**ORDER BELOW EXH. 1**

Applicants filed application under Section 2 of The Bombay Regulation Act, 1827 and prayed for grant of heirship certificate in their favour.

[2] The applicants contended that, Applicant Nos. 1 to 4 are real brothers and sisters. Brother of applicant Nos. 1 to 4 namely, Jamil Khan Ismail Khan, who died on 17/11/1995, Jalil Khan Ismail Khan, who died on 30/04/2019 and Ibrahim Khan Ismail Khan Pathan, who died on 28/10/2015. Applicants No. 5 to 7 are the heirs of the deceased Ibrahim Khan, applicants No. 8 to 10 are the heirs of deceased Jalil Khan and applicants No. 11 and 12 are heirs of deceased Jamil Khan. Father of applicant Nos.1 to 4 namely, Ismail Khan Munir Khan Pathan, who died on 30.04.2018 and mother of applicant Nos. 1 to 4 deceased Maimunbi Ismail Khan, who died on 20.03.2009 at Ashti. Applicants are the only legal heir of deceased Ismail Khan Munir Khan Pathan. Therefore, they filed this application for grant of Heirship Certificate of deceased Ismail Khan Munir Khan Pathan in their favour.

[3] In pursuance to the application, paper publication was issued in Daily Newspaper "Navrashtra" inviting objections, but no one has filed any objection. Copy of paper publication is taken on record at Exh.26.

[4] Considering the pleadings and documents produced on record by applicant following points arise for my determination to which, I record my findings thereon for reasons to follow :

Sr.No.	Points	Findings
1)	Whether applicants are entitled for Legal Heir-ship Certificate as prayed?	Yes.
2)	What Order?	The application is allowed.

### REASONS

#### AS TO POINT NO. 1 :

[5] Heard Shri. A.A. Dhamankar, advocate for applicant. In support of application, applicant No. 9 has filed his evidence affidavit at Exh.9. Applicant has produced verified copies of death certificate of deceased Ibrahim Khan Ismail Khan Pathan, Jamil Khan Ismail Khan Pathan, Jalil Khan Ismail Khan Pathan, Ismail Khan Munir Khan Pathan and Maimunbi Ismail Khan at Exhs. 10 to 13 and 29. They also filed verified copies of adhar card of applicants at Exhs. 14 to 25. The said documents support the contention of applicants. In spite of paper publication no objection came. The application has gone unopposed, I have no reason to disbelieve the evidence of applicant. Therefore, the application deserves to be allowed. Hence, I pass the following order.

### ORDER

- (i) Application is allowed.
- (ii) Issue heirship certificate in favour of applicants

recognizing them as a legal heir of deceased Ismail Khan  
Munir Khan Pathan, as per rule.  
(Order dictated and pronounce in the open Court)

Date : 24.03.2026

( Priyanka A. Patel )  
Civil Judge, Junior Division ,  
Ashti.

C e r t i f i c a t e

I affirm that the contents of this P.D.F judgment and Order are same word to word, as per the original judgment and Order.

N.B. Bismille  
Stenographer (Gr.3)