



Civil M.A. No.61/2026
Devkabai V/s Nil
MHWS080004962026

ORDER BELOW EXH-01
(Passed On 06.05.2026)

This is an application for grant of legal heir-ship certificate as per section 02 Bombay Regulation Act, 1827.

02 Applicant no.01 is the wife, No.02 son of deceased **Kisan Sonaji Irche** who died on 23.09.2022 at Mop Tq. Risod. Applicants have contended that, they are the only legal heirs of the deceased. After death of **Kisan** all applicants need heirship certificate for some governmental and non governmental works as well as applicants also approached concern revenue office to register their name as a legal heirs of deceased **Kisan** to the record of property. At that time concern office has demanded this court's heirship certificate from all applicants. Therefore, all applicants are prayed for issuance of heir-ship certificate.

03 The proclamation was issued in daily newspaper "Punya Nagari" dated 21.03.2026 vide **Exh- 14** for calling objections from the public and inviting all persons who disputes the rights of applicants within one month from the date of proclamation. However, nobody appeared to resist the claim of applicant or filed any objection disputing the right of applicants.

04 The applicant no.01 have also filed his affidavit in lieu of examination-in-chief at **Exh-10** stating that, the applicants are the only legal heir of deceased **Kisan Sonaji Irche**. Applicant no. 02 have also informing that the evidence adduced by applicant no. 01 be construed as their evidence on **Exh.15**. Applicant no. 01 and 02 have also filed on record the death certificate of deceased **Kisan Sonaji Irche** vide **Exh-11**, verified copies of their Adhar card vide **Exh-12 and 13**. By filling pursis below **Exh-16** applicants closed their evidence. The evidence of applicant remained unchallenged. Further applicant no.02 in his

evidence also submitted that he has not filed any other application at any place or any other court.

05 An Heir is defined under section 3(f) of the Hindu Succession Act. Section 08 of the Act provides for Rules of Succession of a Hindu male dying intestate. Therefore, applicant no.01 is the wife, No.02 are son of deceased **Kisan Sonaji Irche** being **class-I** heirs are entitled for recognition as legal heirs of deceased. Thus, considering all above facts and documents filed on record, it appears that all applicants are the only legal heirs of the deceased. Moreover, in case of *Re: Ganpati Vinayak Achwal, 2015(2) ALL MR 285 Hon'ble Bombay High Court* held that, the heir-ship certificate is merely a formal recognition that the applicants are the legal heirs of the deceased. Therefore, it will be proper to issue heir-ship certificate to the applicant as per Rule 02 of Bombay Regulation VIII of 1827. Therefore, application deserves to be allowed. Hence, the following order;

ORDER

1. Application is allowed.
2. Issue heir-ship certificate in favour of applicant no.01 Devkabai Kisan Irche, no.02 Karan Kisan Irche, as **Class-I** legal heir (wife and son of deceased) as defined in Section 08 of the Hindu Succession Act of deceased **Kisan Sonaji Irche** in prescribed format.
3. This heir-ship certificate is formal recognition and does not grant any right in the property of deceased.
4. Applicant to submit court fee stamp as per rules.

(P. V. Sapkal)

Civil Judge Jr. Division, Risod.

Date: 06.05.2026

CERTIFICATE

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

Name of the Stenographer /Jr. Clerk : R.F. Tagad

Name of court : C.J.J.D.& JMFC;Risod

Date : 06.05.2026

Judgment/Order signed by the
Presiding Officer : 06.05.2026

Judgment/Order uploaded on : 06.05.2026