

MHWS100018502025



Received on	19	11	2025
Registered on	20	11	2025
Decided on	02	07	2026
Duration	Years	Months	Days
	00	07	12

IN THE COURT OF CIVIL JUDGE JUNIOR DIVISION, MALEGAON
(Presided over by Sheaih Mohammad Wasim Akram)

Civil M. A. No. 231/2025**Exh.No.24**

1. **Achutrao Vyankatrao Ghuge**
Age : 58 Years, Occu. : Agriculturist,
2. **Kailash Vyankatrao Ghuge**
Age : 54 Years, Occu. : Agriculturist,
Both R/o. Pangarabandi. Tal- Malegaon, Dist- Washim.
At Present Room No.911-A, Dongarpada Pelhar,
Tal- Wasai, Dist- Thane.
3. **Nandabai Ananda Mundhe**
Age : 52 Years, Occu. : Household,
R/o. Nandra, Tal. Lonar, Dist. Buldhana.
4. **Asha Pandhari Gangawane**
Age : 70 Years, Occu. : Household,
R/o. Depul, Tal & Dist. Washim.
5. **Aruna Sheshrao Phad**
Age : 49 Years, Occu. : Household,
R/o. Wanjarwada, Hingoli, Tal & Dist. Hingoli.
6. **Sunanda Bhaskarrao Gite**
Age : 60 Years, Occu. : Household,
R/o. Marodi, Post-Aapoti, Tal & Dist. Akola.
7. **Bebibai Keshav Bhendekar**
Age : 80 Years, Occu. : Household,
R/o. Shivani, Tal. Mangrulpir, Dist. Washim.

8. Ratnamala Narayan Ghuge

Age : 54 Years, Occu. : Household,

9. Yogesh Narayan Ghuge

Age : 25 Years, Occu. : Education,

Applicant Nos. 8 & 9 R/o. Pangrabandi,

Tal. Malegaon, Dist. Washim.

10. Chaya Arvind Ghuge

Age : 35 Years, Occu. : Household,

R/o. Flat No.302, Radhe Heights, Khote Nagar,

Nimkhedi Shivar Stop, Jalgaon, Tal & Dist. Jalgaon. **Applicants**

VERSUS

Nil.

Application for Grant of Legal Heirship Certificate Under Bombay Regulation VIII of 1827

Advocate Mr. V. J. Ghuge for Applicants.

JUDGMENT

(Delivered on 02/07/2026)

This application is filed for grant of Heirship Certificate under Bombay Regulation VIII of 1827.

2. It is contentions of applicants that on 13/05/1999 Vyankatrao Narayanrao Ghuge died. On 05/05/2014 Sarawatibai Vyankatrao Ghuge died. Applicant Nos. 1 to 7 are children, the applicant No.8 Ratnamala is daughter-in-law and applicant Nos. 9 and 10 are grand-children of deceased Vyankatrao and deceased Sarawatibai. On 20/09/2024 Narayan Vyankatrao Ghuge (son of deceased Vyankatrao and deceased Sarawatibai) died. The applicant No.8 Ratanmala is widow and applicant Nos.9 and 10 are children of deceased Narayan. All applicants are required heirship certificate for the use of Government and private purpose. Therefore, all applicants filed present application for grant of legal heirship certificate.

3. In support of their contentions the applicant No.1 Achutrao Vyankatrao Ghuge filed his evidence of affidavit at Exh.08 and averred as per contents of the application. Applicants have filed on record original death certificate of deceased Vyankatrao Narayanrao Ghuge at Exh. 09, original death certificate of deceased Sarswatibai Vyankatrao Ghuge at Exh.10, original death certificate of deceased Narayanrao Vyankatrao Ghuge at Exh.11, verified copy of Aadhaar Card of applicant Nos.1 to 10 at Exh.12 to 21, respectively and paper publication in daily news paper 'Dainik Shivvichar' dated 16/12/2025 at Exh.22.

4. It is seen from the documents filed on record that on 13/05/1999 Vyankatrao Narayanrao Ghuge died. It is also seen from the documents filed on record that on 05/05/2014 Sarswatibai Vyankatrao Ghuge died. It is also seen from the documents filed on record that on 20/09/2024 Narayan Vyankatrao Ghuge died.

5. Perused the record. The public notice was issued in daily news paper 'Dainik Shivvichar' on 16/12/2025. However, no one has taken an objection in respect of said paper publication. The testimony of applicant no.1 Achutrao is remained unchallenged and is corroborated with the contents of the application.

6. It is pertinent to note here that as per the Schedule of Class-I of the Hindu Succession Act, 1956 the property of male Hindu dying intestate shall devolve upon the son, daughter, widow, mother, son of pre-deceased son, daughter of pre-deceased son and widow of pre-deceased son. It is also pertinent to note here that applicant Nos. 1 to 7 are children, the applicant No.8 Ratnamal is daughter-in-law and applicant Nos. 9 and 10 are grand-children of deceased Vyankatrao. It is pertinent to note here that on 13/05/1999 Vyankatrao Narayanrao Ghuge died and on 20/09/2024 Narayan Vyankatrao Ghuge (son of deceased Vyankatrao) died, therefore, it is clear from the record that deceased Narayan is not died before Vyankatrao. It is also pertinent to note here that the applicant No.8 Ratnamal is daughter-in-law and applicant Nos. 9 and 10 are grand-children of deceased Vyankatrao, therefore, applicant Nos.8 to 10 are not

legal heirs of deceased Vyankatrao as per the Schedule of Class-I of the Hindu Succession Act, 1956. Furthermore, applicant Nos.1 to 7 are legal heirs of deceased Vyankatrao as per the Schedule of Class-I of the Hindu Succession Act, 1956.

7. It is pertinent to note here that as per section 15 of the Hindu Succession Act, 1956 the property of female Hindu dying intestate shall devolve firstly, upon the sons and daughters (including the children of any pre-deceased son or daughter) and the husband, secondly, upon the heirs of the husband, thirdly, upon the mother and father, fourthly, upon the heirs of the father and lastly, upon the heirs of the mother. It is also pertinent to note here that applicant Nos. 1 to 7 are children, the applicant No.8 Ratnamal is daughter-in-law and applicant Nos. 9 and 10 are grand-children of deceased Sarswatibai. It is also pertinent to note here that on 05/05/2014 Sarswatibai Vyankatrao Ghuge died and on 20/09/2024 Narayan Vyankatrao Ghuge (son of deceased Sarswatibai) died, therefore, it is clear from the record that deceased Narayan is not died before Sarswatibai. It is also pertinent to note here that the applicant No.8 Ratnamal is daughter-in-law and applicant Nos. 9 and 10 are grand-children of deceased Sarswatibai, therefore, applicant Nos.8 to 10 are not legal heirs of deceased Sarswatibai as per the first Entry of Section 15 of the Hindu Succession Act, 1956. Furthermore, applicant Nos.1 to 7 are legal heirs of deceased Sarswatibai as per the first Entry of Section 15 of the Hindu Succession Act, 1956. Thus, in the answer to the aforesaid discussion, I pass the following order :-

ORDER

1. The application is partly allowed.
2. Issue Legal Heirship Certificate in name of applicants 1) Achutrao Vyankatrao Ghuge, 2) Kailash Vyankatrao Ghuge, 3) Nandabai Ananda Mundhe, 4) Asha Pandhari Gangawane, 5) Aruna Sheshrao Phad, 6) Sunanda Bhaskarrao Gite and 7) Bebibai Keshav Bhendekar as legal heirs of deceased Vyankatrao Narayanrao Ghuge and deceased Sarswatibai Vyankatrao Ghuge as per the provisions of Bombay Regulation, VIII of 1827.

3. Applicants are directed to supply requisite stamp duty for legal heirship certificate.

[Pronounced and dictated in open Court.]

Date : 02/07/2026.

Mohammad Wasim Akram
S/o Mohammad Jalal Sheaikh
Civil Judge Junior Division, Malegaon.

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 Stenographer	T. R. Ugale (Grade III)
Name of Court	Shri. M. W. A. M. J. Sheaikh, C.J.J.D. & J.M.F.C., (Court No.1), Malegaon, Distt. Washim.
Date of Dictation	02/07/2026
Judgment/Order signed by the PO on	02/07/2026
Judgment /Order uploaded on	02/07/2026