

CNR-MHYA110022582025



ORDER BELOW (Exh.01) in Civil M.A No. 84/2025
Punerata Dukare Vs- Maroti Dukare
(Passed on 13/02/2026)

The present application is filed for grant of heirship certificate under Bombay Regulation Code.

02. According to the applicants no.1 to 3, applicant No.1 is legally wedded wife or first wife of deceased Waman Dukare. The non applicants no. 1 to 4 are the heirs of deceased Waman Dukare who are begotten from the deceased Waman out of the marriage with one Kantabai who is allegedly second wife of deceased Waman Dukare.

03. It is mentioned in the application that, applicant No.1 is first wife and Kantabai is second wife. The Ld. Advocate today, submits that second wife cannot be heir as per Hindu Law, however, heirs of second wife are entitled for heirship certificate.

04. The heirship certificate seems to be prayed with regard to enjoyment of immovable property more particularly mentioned in petition para no.3. Moreover, it is mentioned that the dispute pertaining to said property of mutation is sub-judice with additional Collector Yavatmal.

05. The application does not sufficiently depicts the full name of alleged second wife Kantabai. The full address of said kantabai also not mentioned in the application. The dates of marriages of applicant no.1 and second wife Kantabai are also not mentioned in the application. Whether the second wife is entitled for the heirship certificate or not or can be decided on taking further evidence. However, if the second wife is not heard then there is possibility of implication of future disputes. Hence, in the interest of justice, I am of the view that the said alleged

second wife should be party to the present application. Hence, following order.

ORDER

- 1 Applicants are directed to array the second wife as party to this proceeding.
- 2 Applicants shall provide full details containing marriage and address of alleged second wife.
- 3 Applicants to carry out the said amendment within 14 days from today and shall file copy of amendment application on record.
- 4 Applicants or Ld. Advocate to take note.

Date : 13/02/2026

(S.G.Thanedar)
2nd Joint Civil Judge (Jr. Div)
(Court No. 02)
Umarkhed

CERTIFICATE

“ I certify that this Order uploaded is a true and correct copy of original signed Order”

Order directly dictated on : 13.02.2026
Order checked and signed on : 13.02.2026
Uploaded by : B.G.Sawate, Stenographer (Gr.III)
Uploaded on : 13.02.2026