

MHAH110008732022

Sujata Kishor Bairagi

Versus



None

Heirship (Civil) M.A. No. 47/2022 Order below Exh.1**(Passed on 16-06-2023)**

Present application is filed by applicants for issuance of heirship certificate.

Application is summarized as under :-

2] It is contention of applicant that, her husband Kishor Ramdas Bairagi has expired on 04/06/1998. The marriage of applicant and Kishor solemnized on 01/05/1997. There are no any children out of their wedlock. Except applicant there is no any legal heir of Late Kishor Ramdas Bairagi. It is further contended that, she is the sole surviving heir. There is no any other legal heir surviving of Late Kishor Ramdas Bairagi, except the present applicant. Hence, the present application for heir-ship certificate in exclusive name of the applicant.

3] Citation notice was issued vide (Exh.6) and paper notice was published in “**Prabhat**” newspaper Dt.20.01.2023 for calling objections from the public at large. In the present matter no any person present and raised objection for issuing heir-ship certificate in the exclusive name of the applicant.

4] In support applicant's claim, she has filed her evidence affidavit at exh.11 alongwith documentary evidence. The applicant has closed his evidence by filing pursis below exh.15.

5] Perused the application and evidence affidavit of applicant at **Exh.15** and the documents i.e. Death Certificate of Kishor Ramdas Bairagi below exh. 12, Death Certificate of Radhabai Ramdas Bairagi below exh. 13, copy Aadhar Card below exh.14. Paper notice (**Article “A”**) published in “**Prabhat**” Dt. 20.01.2023.

6] Entire material evidence on record is sufficient to hold that applicants are the close relatives of deceased. In-spite of paper notice (**Article “A”**) published in the “**Prabhat**” Dt. 20.01.2023, no any objection is received in respect of present application. All these facts are sufficient to reach to the conclusion that applicants are legal heirs of Kishor Ramdas Bairagi.

7] The scope of present proceeding is not to adjudicate rights, title or interest of parties over any property. The scope of present proceeding is not to declare title of any party over any property. The scope of present proceeding is very limited to the extent of formally recognizing the legal heir of deceased person. Considering entire documents and evidence on record, in my opinion applicants is entitled to be formally recognized as legal heir of Late Kishor Ramdas Bairagi. Therefore, I proceed to pass following order -

ORDER

- [1] Applicant is formally recognized as legal heir of Late Shri.
Kishor Ramdas Bairagi.
- [2] No order as to cost.

Date :-16-06-2023.

Sd/-XXX
(Swaroop S. Bose)
Civil Judge Senior Division
Kopargaon Dist. Ahmednagar.