

MHTH160006832025	Received on	:	03.11.2025
	Registered on	:	03.11.2025
	Decided on	:	14.08.2026
	Duration	:	Ys Ms Ds 00 09 11

**IN THE COURT OF CIVIL JUDGE SENIOR DIVISION PALGHAR,
AT : PALGHAR
(Before Smt. M. M. Mali)**

CIV.M.A. No.36/2025
Exhibit No. : 20

Mr. Tulsidas Prakash Vazirani,

Age : 41 yrs., Occ. : Service,

Residing at Flat no.203, Wing B-1,

Roop Rajat-1 Co-Operative Housing Society

Limited, Roop Rajat Nagar, Behind Manav Seva

Diagnostic Centre, Tarapur Road, Boisar (W),

Taluka and District Palghar – 401501.

... Applicant.

vs.

Nil.

APPLICATION FOR SUCCESSION CERTIFICATE

.....
Learned Advocate Mr. V. P. More for applicant.
.....

J U D G M E N T

(Delivered on 14th August, 2026)

This is an application filed by applicant as per section 372 of the Indian Succession Act.

2] It is the case of applicant that, applicant is son of the deceased Prakash Gordandas Vazirani and deceased Kamala Prakash Vazirani. Applicant's father Prakash has died on 30.09.2025 and his mother Kamala

has died on 20.01.2018. The deceased Prakash Gordandas Vazirani and deceased Kamala Prakash Vazirani left behind the of following property;

(A) Flat no.203, area admeasuring 800 square feet built-up on the 2nd floor, in Wing B-1. Roop Rajat-1 Co-Operative Housing Society Limited, Roop Rajat Nagar, Behind Manav Seva Diagnostic Center, Tarapur Road, Boisar, Taluka and District Palghar.

3] It is further stated that, applicant is legal heir of deceased Prakash Gordandas Vazirani and deceased Kamala Prakash Vazirani. The aforesaid property standing in the name of deceased Prakash Gordandas Vazirani and deceased Kamala Prakash Vazirani. It is stated that, being only legal heir, applicant is entitled to the property standing in the name of deceased Prakash Gordandas Vazirani and deceased Kamala Prakash Vazirani. Hence, he prayed to issue succession certificate in his favour.

4] After receipt of this application, order was passed below Exh.1 directing issue public notice in daily local newspaper calling objections if any from the public at large and citation notice. It appears that, accordingly, notice was published in daily local newspaper "Dainik Punya Nagari" dated 19.12.2025. Inspite of issuance of public notice, none appeared and raised objection.

5] Heard, learned advocate for applicant. Following points arose for my determination and I have recorded my findings thereon along with detailed reasons to follow -

SR.NO.	POINTS	<u>FINDINGS</u>
1)	Is applicant entitled to get Succession Certificate as claimed ?	Yes.
2)	What order?	As per final order.

REASONS**AS TO POINT NOS.1 AND 2 :-**

6] In spite of publication of notice, none appeared and raised any objection to issue succession certificate as prayed by the applicant. In order to prove his case, applicant examined himself by filing his affidavit in lieu of examination-in-chief at Exh.9. In evidence affidavit, applicant has reiterated his contention from the application. Besides that, applicant has also produced documentary evidence, that includes copy of registered agreement for sale, share certificate issue by society, death certificates of deceased and Aadhar card of applicant.

7] The application is filed as per Indian Succession Act. The purpose of succession certificate is averred for succession of immovable property. It is well settled that for the succession of immovable property, the heirship certificate as per Bombay Regulation is required. Therefore, the succession certificate for immovable property cannot be granted.

8] The advocate also directed to carry out the amendment so as to claim the legal heirship certificate. However, the advocate carried out the amendment from Hindu Succession Act to Indian Succession Act. No where it is mentioned that the application is for legal heirship certificate as per Bombay Regulation. Hence, I proceed to pass the following order.

ORDER

Application is rejected.

Palghar.
Date : 14.08.2026

(M. M. Mali)
Civil Judge Senior Division,
Palghar.

CERTIFICATE

I hereby certify that the contents of the PDF file are same word to word as per original order:

Name of Steno : Mr. S. B. Rawool, Stenographer, Grade-II.
Court's Name : Civil Judge Senior Division, Palghar.
Date : 14.08.2026
Dictated on : 14.08.2026
Transcribed on : 14.08.2026
Signed by P.O. on : 14.08.2026
Uploaded on : 14.08.2026