

IN THE COURT OF
JOINT CIVIL JUDGE JUNIOR DIVISION, KALYAN

MHTH080002182026



Civil M.A./107/2026

Smita Sunil Shirose

Vs.

NIL

ORDER BELOW EXH. 1

This is an application under the Bombay Regulation VIII of 1827.

02. Applicants submitted that applicant No. 1 is the wife and applicant Nos. 2 to 5 are the children of Sunil Dhondu Shirose who died intestate on 07/02/2024 at Kalyan. Sunil Dhondu Shirose will be referred hereinafter as 'the deceased' for the sake of brevity. The mother of the deceased namely Pramila Dhondu Shirose died in the year 2001. Hence, they prayed for the heirship certificate.

03. Citation notice at Exh. 6 and Proclamation in the form contained in Appendix A, inviting all persons who dispute the rights of the applicants to appear in the Court within one month from the date of proclamation were issued. However, no sufficient objection is offered at the expiration of the time mentioned in the proclamation.

04. The applicants filed their evidence affidavit at Exh.8 to 12. They filed documentary proof for establishing their claim i.e. copies of death certificate of deceased and Aadhaar card of

applicants with document list at Exh.3 and paper notice published in Daily news paper 'News Hub' dt. 15/05/2026. Above said documents prima facie support the claim of the applicants. As per the Hindu Succession Act, 1956, they are the heirs of the deceased. Therefore, I have no hesitation to accept that the applicants are only legal heirs of the deceased.

05. I would like to rely on the law laid down by Hon'ble Bombay High Court in the case of **Ganpati Vinayak Achwal v/s State Mh.LJ 2014 (6) 683**, wherein Hon'ble Bombay High Court has held that the heirship certificate is not necessarily be granted to manage the property of deceased, however can be granted to recognize the heirs of deceased as a formal recognition.

06. In view of above reasons, I pass following order.

: ORDER :

- 1] The application is allowed.
- 2] The applicants are declared as recognised heirs of the deceased Sunil Dhondu Shirose.
- 3] Issue Heirship certificate in the form contained in Appendix B in favour of applicants under the provisions of Bombay Regulation VIII of 1827, subject to payment of requisite Court Fees.

Kalyan
Date: 17/07/2026.

(Santosh H. Age)
Jt. Civil Judge, J.D., Kalyan.