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IN THE COURT OF ADDITIONAL SENIOR CIVIL JUDGE
(MR. R. R. MISTRY SAHEB), RAJKOT

CIVIL MISC. APPL. NO. 3061/2023

EXH. 16

APPLICANT:

PRASHANT JAYMALBHAI NAKUM

AGE: 55, SERVICE;

ADDRESS:

**“PANCHVATI”, SHROFF ROAD,
NEAR JAM TOWER, RAJKOT.**

VS.

OPPONENT:

NITINBHAI JAYMALBHAI NAKUM

AGE: 57, BUSINESS;

ADDRESS:

**“PANCHVATI”, SHROFF ROAD,
NEAR JAM TOWER, RAJKOT.**

**SUBJECT: HEIRSHIP CERTIFICATE IN RESPECT OF THE IMMOVABLE
PROPERTY OF DECEASED JAYMALBHAI KHIMJIBHAI NAKUM**

LEARNED ADVOCATE P.D.PITHADIYA FOR THE APPLICANT

::JUDGMENT::

1. The applicant claims to be the heir of Deceased Jaymalbhai Khimjibhai Nakum who expired on dated 27/03/2018 at Rajkot, without making any “Will” or “Testament” in respect of the immovable property. The applicant has prayed for Heirship Certificate in respect of the immovable property of deceased Jaymalbhai Khimjibhai Nakum as mention in Schedule of the property produced with this application.
2. It appears from the record that notice has been served to the opponent but neither the opponent nor their Ld. Advocate remained present before the Court and therefore the court has passed an ex-party order below Exh. 7 against the opponent on dated 11/10/2024. Hence, this suit proceeded ex-party against the opponent.
3. A public Notice inviting objections to the grant of this application was issued in daily local newspaper, which is produced vide Exh. 14 but nobody has appeared in this proceeding and filed any objections against the grant of this application.

4. In support of this application, the applicant has filed final affidavits on oath vide Exh. 9 in which the short fact of this application has been narrated.
5. The applicant has filed list of documentary evidence as under:
 1. Final Affidavit of Applicant Prashant Jaymalbhai Nakum vide Exh. 9
 2. Death certificate of Deceased Jaymalbhai Khimjibhai Nakum vide Exh. 11
 3. Death Certificate of Deceased Sushilaben Jaymalbhai Nakum vide Exh. 12
 4. Reg. Partition Deed Sr. No. 1817 vide Exh. 13
 5. Public Notice vide Exh. 14
 6. Closing Pursis vide Exh. 15
6. In view of the above, the applicant has complied with requirements to the grant of Heirship Certificate in respect of the immovable property of Deceased Jaymalbhai Khimjibhai Nakum as mentioned in the Schedule of the property produced with this application and nobody appeared to file objections even on Public Notice, therefore,

there is no reason to disbelieve the say of the applicant. Therefore, following Final Order is passed.

:: ORDER ::

1. This application is hereby allowed.
2. The Heirship Certificate in respect of the immovable property of deceased Jaymalbhai Khimjibhai Nakum as described in the schedule of the property produced with this application be issued in the name of applicant Prashant Jaymalbhai Nakum on payment of requisite court fees on the value of the property.

Signed and pronounced in the open court today on 31st July, 2025
at Rajkot.

Place : Rajkot

Date : 31/07/2025

(Mr. Rajeshkumar Ramanlal Mistry)

7th Addl. Sr. Civil Judge,

Rajkot

UIC No. GJ01169