


RJE No.399/2023

Shobha & Oth. Vs. Nil

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| MHND100022662023  | Presented on : 13-12-2023 Registered on : 13-12-2023 Decided on : 06-02-2024 Duration : 0 years, 1 months, 24 days |
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ORDER BELOW EXH. 01
(Passed on 06/02/2024)

This is an application filed by applicants no. 1 to 6 for grant of heirship certificate under section 2 and 3 of Bombay Regulation Act 1827.

2) It is the contention of applicants that, applicant no. 1 is wife, applicant no. 2 and 3 are sons and applicant no. 4 to 6 are daughters of deceased **Murlidhar Udhavrao Gundale**. Deceased **Murlidhar Udhavrao Gundale** died on 22.04.2021. Further applicants contended that, they are only legal heirs of the deceased **Murlidhar Udhavrao Gundale**. Therefore, they have filed this application to get heirship certificate in their name from this court for the purpose of Government as well as Semi-Government official work .

3) The death certificate of deceased **Murlidhar Udhavrao Gundale** issued by Municipal Corporation Nanded Waghala, is filed on record at Exh.12. Copy of heirship certificate issued by Village Council of Hadoli (Br.), Tq.Kandhar Dist. Nanded is filed on record at Exh. 13. Verified copy of Adhar cards of applicants no. 1 to 6 filed on record vide Exh. 14 to 19.

4) In this regard, I have perused death certificate of deceased **Murlidhar Udhavrao Gundale** at Exh.12. Perused proclamation at Exh.10 published in daily news paper “Dainik Watanwala” dated 20.12.2023. Applicant no. 3 has

adduced evidence by way of affidavit on Exh. 11 on behalf of all applicants and reproduced contention of the application in his affidavit.

5) In spite of issuance of paper proclamation in “Dainik Watanwala” no one has raised objection against the claim of applicants. Taking into consideration unchallenged pleading, evidence and documents on record, I am of opinion that applicants are legal heirs of deceased **Murlidhar Udhavrao Gundale**. As the material available on record appears to be sufficient to accept the claim of applicants for claiming heirship certificate in their favour as prayed for, therefore, I am inclined to accept the same.

In turn I Pass following order.

ORDER

1. Application is allowed.
2. Issue heirship certificate in favour of applicants as they are formal legal heirs of deceased **Murlidhar Udhavrao Gundale**.
3. The applicants shall pay court fees as per Bombay Court Fees Act.

Date:- 06.02.2024

Place:- Kandhar.

Sd/-
(**Smt. M. B. Sakhare**)

3rd Jt. Civil Judge, Jr.Dn.,Kandhar.

CERTIFICATE

I affirm that the contents of this P.D.F. file Order
are same word to word, as per the original Order.

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| Name of the Clerk | : V. H. Londhe |
| Court Name | : 3 rd Jt. Civil Judge, Jr.Dn., Kandhar. |
| Date | : 06.02.2024 |
| Order signed by the Presiding Officer on | : 06.02.2024 |
| Order uploaded on | : 06.02.2024 |