

IN THE COURT OF 4th JT. CIVIL JUDGE JUNIOR DIVISION,
AMRAVATI

R.M.J.C. No. 1 of 2018

CNR : MHAM02-000001-2018

Kaushalya Sukhdeo Wadhwani & anr. ... APPLICANT

VERSUS

NIL ... OPPONENT

Learned advocate for applicant : Shri. Naveduddin

ORDER PASSED BELOW EXHIBIT 1
(Date 26.02.2018)

This is an application under section 2 of Bombay Regulation VIII of 1827 for grant them a certificate of heirship. It is submitted by applicant that applicant no.1 is widow wife, applicant nos.2, 3 are son and applicant nos.4 to 6 are daughters of deceased Sukhdeo Nandiram Wadhwani, who died on 16.10.2017 at Amravati. As per the applicant they are only legal heir of deceased Sukhdeo Nandiram Wadhwani.

2] I issued the citation notice and paper publication for calling the objection if any. Accordingly, the report of bailiff received to this court at Exh.19, stating that the notice was affixed in the office of Collector, Amravati, Municipal Corporation, Amravati respectively. The proclamation was issued in daily news paper "Loksarkar" dated 19.01.2018, inviting persons who disputes the right of applicant to appear within one month from the date of proclamation and file their objections. However, no person appeared and filed any objection

disputing the right of applicant.

3] In order to prove the application, the applicant no.3 has filed his affidavit at Exh.9. The evidence of applicant no.3 is remained unchallenged. They have also relied upon the Death Certificate of deceased Sukhdeo Nandiram Wadhwani, verified copies of Aadhaar Card of applicants which is at Exh. 10 to 16 respectively. Moreover, applicant relied on copy of Paper publication of notice and its receipt in “Loksarkar” at Exh.17 & 18.

4] Considering the matter it appears that applicants are the only legal heir of deceased Sukhdeo Nandiram Wadhwani. Therefore, application deserves to be allowed. Hence the order :

ORDER

1. Application is allowed.
2. Issue certificate of heirship (in Appendix B) *vide* section 2 of Bombay Regulations VIII of 1827 in favor of the applicants as a legal heirs of deceased Sukhdeo Nandiram Wadhwani.
3. The applicants shall pay the court fees as per rules.
4. The note be appended to the heirship certificate as per para 312 of Civil Manual.

Date : 26.02.2018
Place : Amravati

(S.A. Deshpande)
4th Jt. Civil Judge Junior Division,
Amravati