

Presented on – 03-01-2018
Registered on– 03-01-2018
Decided on – 23-03-2018
Duration - 00 Y- 02 M- 24 D

IN THE COURT OF CIVIL JUDGE, JUNIOR DIVISION, ASHTI,

TQ. ASHTI, DIST. WARDHA.

(Presided Over by N.H. Tikhe)

M.J.C.. No. 01/2018

Exh. 16

C.N.R. NO. MHWR10-000014-2018

- 1. Sau. Manisha Mohan Mohite,**
Aged about 38 years,
Occ: housewife,
R/o. Mahakal,
Tq. & Dist. Wardha.

- 2. Sau. Lilabai Daulat Jaiswal,**
Aged about 70 years,
Occ: housewife,
R/o. Ashti,
Tq. Ashti, Dist. Wardha. ---

Applicants

-Verses-

Nil

Application for legal heir-ship certificate.

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Ku. S.B. Choudhari , learned advocate for applicants.
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JUDGMENT

(Pronounced on 27th March 2018)

1. This is an application for grant of heir ship certificate under The Bombay Regulation VIII of 1827.
2. It is case of applicants' that applicant no. 1 is niece and the

applicant no. 2 is the real sister of deceased Kausalyabai Pandurang Jaiswal. They are legal heirs of deceased Kausalyabai who died on 04.09.2016 at Ashti, Tq. Ashti, Dist. Wardha. Deceased Kausalyabai was residing at Ashti, Tq. Ashti, Dist. Wardha. The applicants claimed that they are legal heirs of deceased Kausalyabai. After the death of deceased Kausalyabai, it is necessary to applicants to get formally recognized as her legal heirs for their legal rights. Therefore, the applicants prayed to formally recognize them as legal heirs of deceased deceased Kausalyabai.

3. A proclamation, in the form contained in Appendix-A to Bombay Regulation VIII of 1827, inviting public at large to appear in Court within one month from the date of proclamation was issued in 'Dainik Matrubhumi' dated 10.01.2018. But no person has objected this application till today.

4. Thereafter, I have proceeded to receive proof of the right of applicants in respect of their claim. Applicant no. 1 has filed her evidence affidavit at Ex. 8. She has also produced a copy of her Adhar Cards at Exh. 11, a copy of election card at Exh. 12, copies of death certificates at Exhs. 13 & 14.

5. As the application and evidence in support of it produced by applicants remained unchallenged, it can be safely acted upon. From the death certificate Exh. 14, the fact of death of late Kausalyabai Pandurang Jaiswal is proved.

6. The contents of affidavit show that late Kausalyabai Pandurang Jaiswal has left behind the applicants as her heirs and legal representatives. In such circumstances, the applicant's claim appears to be genuine. Hence, the following order:

ORDER

1. Application stands allowed.
2. Issue heir-ship certificate formally recognize applicant no. 1 and 2 as legal heirs of deceased Kausalyabai Pandurang Jaiswal who died on 04.09.2016 at Ashti, Tq. Ashti, Dist. Wardha.

Place : Ashti
Date :- 27-03-2018.

(N.H. Tikhe),
Civil Judge Junior Division,
Ashti.