



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

914 WRIT PETITION NO. 3018 OF 2026

Sojarabai Prabhakar Gaware And Others

VERSUS

**Priti Prabhakar Gaware Thr Her Guardian Mother Nanda
Keshav Gawli**

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Advocate for Petitioners : Mr. A.C. Deshpande

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CORAM : S. G. CHAPALGAONKAR, J.

Dated : March 24, 2026

PER COURT :-

1. Present writ petition is filed raising challenge to the order dated 25.10.2024 passed by the learned Civil Judge J.D., Pathri in Civil M.A. No.117 of 2024, by which learned Judge of the Trial Court has stayed effect of heirship certificate issued in favour of petitioner in Civil MA No.15 of 2024 and also restrained the petitioners from taking any benefit from heirship certificate.

2. The record shows that petitioner obtained heirship certificate dated 6.4.2024 in Civil MA No.15 of 2024. The respondent had also filed proceeding for heirship certificate before the Court at Manvat and succeeded in receiving the same vide order dated 6.7.2024. After getting knowledge of issuance of heirship certificate in favour of petitioner, she filed

application for revocation on the ground that certificate has obtained by suppression of material facts. The respondent has also filed an application below Exhibit 5 to stay effect of certificate issued in favour of petitioners. The trial court observed that prima facie there is reason to believe that the petitioners have obtained certificate without disclosure of the material fact.

3. Mr. Deshpande, learned counsel appearing for the petitioners tries to impress upon the Court that respondent Nanda Keshav Gavali is second wife of the deceased and therefore, she is not entitled for any benefit. However, fact remains that Priti Prabhakar Gaware is daughter of the deceased and she may be entitled to claim some retirement benefits on death of her father, may be alongwith the petitioner.

4. In that view of the matter, trial Court is justified in staying effect of the heirship certificate issued in favour of the petitioners. This Court finds no reason to interfere in the impugned order. Hence, w rit petition stands **rejected**.

(S. G. CHAPALGAONKAR, J.)

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