



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL REVISION APPLICATION NO.287 OF 2026**

Jayshri Kumar Patil	...	Applicant
versus		
Urmila Vishal Patil and Anr.	...	Respondents

Mr. Himanshu Patil, for Applicant.

CORAM: N.J.JAMADAR, J.

DATE : 9 JUNE 2026

P.C.

1. Heard the learned Counsel for the Applicant.
2. The challenge in this application is to an order dated 17 March 2026 passed by the learned Civil Judge, Belapur, whereby the application preferred by the Applicant – opponent in an application for grant of heirship certificate under Bombay Regulation Act, 1827, for rejection of the said application came to be rejected.
3. Learned Counsel for the Applicant, submitted that the application was filed for rejection of the application for grant of heirship certificate on the ground that there was mis-description of the property in respect of which the heirship certificate was prayed for.
4. Evidently, Respondent – Applicant in the said application is the wife of the deceased. The applicant herein is the mother of the deceased. By catena of judicial precedents, it has been enunciated that heirship certificate

is merely formal recognition of existing status of a person as an heir of deceased and does not confer any right in the property of deceased.

5. A useful reference in this context can be made to the judgment of the Division Bench of this Court in the case of **Alaysius Manuel D'Souza Vs Mary Kamala William Manuel D'Souza**,¹ wherein it was held that heirship certificate does not establish the right of party in property of deceased by itself. The right, if any, of a person claiming ownership in the property of deceased are not taken away by grant of heirship certificate to an heir. Based on heirship certificate simplicitor the heirship certificate holder cannot be said to have acquired any right, title or interest in estate of the deceased.

6. In the aforesaid view of the matter, the application for rejection of the application for grant of heirship certificate was wholly misconceived. The application does not fall within any of the clauses of Order VII Rule 11 of the Code of Civil Procedure, 1908, even if it is assumed that such application was maintainable.

7. Civil Revision Application, thus, stands dismissed.

(N.J.JAMADAR, J.)

¹ (2006 (6) Bom CR 56.