

Civil M.A. No.01/2018

(CNR No. MHAH-20-000044-2018)

(Pramila Shivaji Deshmukh vs. None)

Order Below Exh.1

By this application, the applicant sought succession certificate as per the provisions of the Bombay Regulation Act, 1827.

2. In short the applicant's case is that, deceased Shivaji Jagannath Deshmukh was the husband of applicant no.1 and father of applicant no. 2 and 3. He died on 22-07-2015 at Rubi Hospital, Pune. The applicants are only legal heirs of deceased. The applicants are in need of succession certificate to withdraw the amount of Rs. 2,01,826.19/- is standing in the name of deceased Shivaji Jagannath Deshmukh in State Bank of India, Branch Pathrdi. Hence, the application.

3. Even after the issuance of citation as well as public notice, nobody come forward to object the application.

4. Heard the learned counsel for the applicants. Read the documents filed along with application. The applicant no. 1 examined himself vide Exh. 21 in support of the application. The applicant relied upon the verified copy of passbook at Exh. 23.

5. From perusal of death certificate (Exh. 05), it is seen that, Shivaji Jagannath Deshmukh is died on 22-07-2015 at Rubi Hospital, Pune. From the affidavit of applicant no. 1, it is seen that, applicant nos. 1 is wife of deceased and applicant no. 2 and 3 are children of deceased. The applicant has claimed for issuance of

succession certificate to withdraw the amount of Rs. 2,01,826.19/- standing in the name of deceased Shivaji Jagannath Deshmukh in State Bank of India, Branch Pathrdi. There is no kind of challenge to the applicant's case. Therefore, it is clear that, the applicants are legal heirs of late Shivaji Jagannath Deshmukh. Therefore the applicants are entitled for succession certificate in order to get the amount of Rs. 2,01,826.19/- standing in the name of deceased Shivaji Jagannath Deshmukh in State Bank of India, Branch Pathrdi. Accordingly, I pass the following order.

ORDER

- 1) Application partly allowed.
- 2) Issue succession certificate in the name of applicant No. 1 to 3 as legal heirs of late Shivaji Jagannath Deshmukh to withdraw the amount Rs. 2,01,826.19/- standing in the name of deceased in State Bank of India, branch Pathardi.
- 3) The applicants would be liable to pay the appropriate Court fee on the said succession certificate, as per rule.

Date : 19/09/2018

(Smt. A. S. Wankhade)
Civil Judge J. D., Pathardi