

ORDER BELOW EXH.1

(Passed on 29th October, 2018)

The applicants have filed this application under Section 372 of Indian Succession Act for grant of Succession Certificate in respect of insurance policy No. 974559630 dated 26/03/2004, new janraksha plan with profit of Rs. 35,000/- of deceased Janabai w/o. Shalikram Thakare.

2) It is contended that the applicant No. 1 is the husband of deceased Janabai Shalikram Thakare and applicant no. 2 to 4 are the sons of the deceased. It is further contended that, Janabai Shalikram Thakare has been expired on 24/05/2018 at village Bondari Tah. Mohadi Distt. Bhandara. It is also contended that, deceased Janabai Shalikram Thakare was having the aforesaid insurance policy in her name.

3) The applicant being the legal heirs and legal successors of deceased Janabai Shalikram Thakare, claiming the profit of above mentioned insurance policy and therefore they turned up before this Court.

4) The notice in this regard was published in the Daily newspaper "Punyanagari" as well as the proclamation in order to invite the objection regarding the grant of said certificate to the applicants. The execution reports regarding the above mentioned publication is placed on record. The relevant documentary evidence is also produced before the Court.

5) Despite of the knowledge of above mentioned publication and proclamation no one came forward to raise the

objection against the claim of applicants. Hence, the application remained unchallenged.

6) The applicant no. 4 adduced his evidence on affidavit vide Exh. 12 on 23/10/2018 and supported the contents of the application. Applicants has filed on record the original copy of Death Certificate of Janabai Shalikram Thakare vide Exh.13, the original copy of legal heirship certificate issued by Grampanchayat Bondri vide Exh. 14, The Aadhar card of applicant's vide Exh. 15,16,17,&18, the verified copy of insurance policy by the Life Insurance Corporation of India vide Exh. 19, and the copy of paper publication bill and publication in the news paper vide Exh. 20 & 21. The above said documents are relevant for determination of the claim of applicant. As there is no challenge to the evidence of the applicant, there is no reason to disbelieve their claim. Therefore, I have no hesitation to allow the present application. Hence, I proceed to pass the following order.

ORDER

1. The application is allowed.
2. The Succession Certificate in this regard be issued in the name of applicants in respect of above mentioned insurance policy after the payment of due Court fees in this regard by applicants.

Sd/-

Date :- 29/10/2018

(Ms. Amreen M. Kasim)
Jt. Civil Judge Junior Division,
Mohadi