

Received on : 16/02/2018  
 Registered on : 16/02/2018  
 Decided on : 25/04/2018  
 Duration : 0y.02M.09D

**IN THE COURT OF CIVIL JUDGE (J.D.), RAMTEK**  
 (Presided over by Sujitkumar C. Taide)

**Succ. Case No. 01/2018**

**Exh. No.**

1. Smt. Jankabai Wd/o Charandas Waghmare  
 Aged 65 Years, Occ. : Nil  
 R/o Mandri Post Musewadi  
 Tah. Ramtek Dist. Nagpur
2. Hiranman S/o Charandas Waghmare  
 Aged 49 Years, Occ. : Cultivation  
 R/o Mandri Post Musewadi  
 Tah. Ramtek Dist. Nagpur
3. Sau. Rekha W/o Arun Paunikar  
 Aged 42 Years, Occ. : Household  
 R/o Rajghad, Kamptee,  
 Tah. Kamptee Dist. Nagpur
4. Smt. Kavita W/o Subhash Patil,  
 Aged 40 Years, Occ. : Household  
 R/o Mandri Post Musewadi  
 Tah. Ramtek Dist. Nagpur

...

**Applicants**

**- V E R S U S -**

N I L

...

**Non-applicant**

**APPLICATION FOR SUCCESSION CERTIFICATE UNDER  
SECTION 372 INDIAN SUCCESSION ACT, 1925**

**// O R D E R //**

(Passed on 25<sup>th</sup> April, 2018)

The applicants named above filed this application under section 372 of the Indian Succession Act for issuance of Succession Certificate.

2. In brief, the applicants' case is as under :

Applicants are legal heirs of Late Charandas S/o Maroti Waghmare who died on 19.04.2017. Said Charandas was having an account bearing Saving Account No. 30170042380 in Bank Of Maharashtra Branch Ramtek Tah. Ramtek Dist. Nagpur. There is balance amount of Rs. 03,36,587=00 Ps. in the said account. Thus in short, at this juncture, the applicants named above are the legal heirs of Late Charandas and therefore, they are entitled to have the said amount. Therefore, the applicants have moved this application as per the say of Bank officials.

4. In view of this application, the public notice came to be published in daily and local news paper "***Mahasagar***" dated 21.02.2018 and thereby objection was called in this regard. So also the people in the locality were informed by way of citation and other modes. But no one came forward either to rebut the claim of the applicants or to claim the succession certification.

5. In view of the application and the documents the following points are framed for my determination and I record my findings thereon with reasons as under :

| <b>Sr.No.</b> | <b>POINTS</b>                                                        | <b>FINDINGS</b>             |
|---------------|----------------------------------------------------------------------|-----------------------------|
| 1)            | Whether the applicants are entitled for the succession certificate ? | Yes                         |
| 2)            | What order ?                                                         | The application is allowed. |

### **Reasons**

#### **As to point No.1 :**

6. As stated above, the publication and citations were issued and thereby the objection was sought from the concern or general public. But no one came forward to challenge the claim of the applicants. In support of the claim, the applicant No.1 has filed her affidavit and thereby deposed that the applicants are legal heirs of said deceased Charandas. In addition to the ocular evidence the applicants have filed some material documents to show that the applicants are legal heirs of deceased Charandas. So also the evidence adduced by the applicant remains unchallenged, as no one has come forward to rebut the alleged claim. Thus, in short considering the evidence placed on record, I am of the opinion that the applicants are entitled to have the succession certificate as prayed for. Accordingly, I pass the following order.

## Order

- (i) The application is allowed.
- (ii) Issue succession certificate in favour of the applicants vide section 372 of Indian Succession Act.
- (iii) Succession Certificate be issued on payment of requisite court fee and on execution of indemnity bond in the like amount.

Ramtek  
Dated : 25/04/2018

(Sujitkumar C. Taide)  
Civil Judge (J.D.), Ramtek

CERTIFICATE

I affirm that the contents of this P.D.F. File Judgment are same word to word as per original Judgment.

Name of Stenographer :- G. S. Dongardive