

Misc. (Succession) Case No.20/2019

Order

14/02/2020

This petition under Section 372 of the Indian Succession Act has been filed by the petitioner, Sri Cheniram Boruah, praying for grant of Succession Certificate for an amount of Rs.23,56,611.77 (Rupees Twenty Three Lakh Fifty Six Thousand Six Hundred Eleven and Seventy Seven Paise) only with interest thereon in respect of debts and liabilities of deceased Lt. Minati Konwar Boruah.

The case of the petitioner is that Lt. Minati Konwar Boruah expired on 28/01/2017 at her own residence at village Amulapatty, Dhakuakhana within the jurisdiction of this Court leaving behind the following legal heirs:

Sl.	Name	Relationship	Age
1.	Sri Cheniram Boruah	Husband	68 years
2.	Smti. Mrigatrishna Boruah	Daughter	15 years

During her lifetime, the deceased was a holder of a Savings Bank Account No.0631010012890 at United Bank of India, Dhakuakhana Branch with a deposited amount which is morefully described in the Schedule below:

Sl.	From whom payable	Particulars	Amount
1.	Chief Manager, United Bank of India, Dhakuakhana Branch.	Savings Bank A/c No.0631010012890	Rs.23,56,611.7 7
Total:			Rs.23,56,611.7 7
Total amount in words: Rupees Twenty Three Lakh Fifty Six Thousand Six Hundred Eleven and Seventy Seven Paise) only.			

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The petitioner is in need of a Succession Certificate to collect the said debts and securities from the authority concerned.

It is submitted that the opposite party, Smti. Mrigatrishna Boruah have authorised her father, petitioner, Sri Cheniram Boruah to collect the debts and securities described in the Schedule mentioned above.

General and special notices were issued and served. None has appeared to file objection. The petitioner submitted his evidence through affidavit.

Seen the copy of original Death Certificate of deceased Lt. Minati Konwar Boruah vide Ext.1, the original Next of Kin Certificate vide Ext.2 and the original Bank Pass Book of United Bank of India vide Ext.3.

The deceased made no Will and no Letters of Administration or Probate is pending in any Court in respect of estate of the deceased.

On the basis of the sworn testimony of the witness, I am satisfied that the petitioner Sri Cheniram Boruah is entitled to a Succession Certificate as prayed for.

I have also heard Miss. Mrigatrishna Boruah who is present today.

Issue a Succession Certificate in favour of the petitioner, Sri Cheniram Boruah for an amount of Rs.23,56,611.77 (Rupees Twenty Three Lakh Fifty Six Thousand Six Hundred Eleven and Seventy Seven Paise) only, on payment of requisite Court fee and execution of an indemnity bond.

Misc. succession case stands disposed of.

District Judge,
Lakhimpur, North Lakhimpur.