

Misc. (Succession) Case No.25/2019

Order

15/02/2020

This petition under Section 372 of the Indian Succession Act, 1925 has been filed by the petitioner, Musstt. Sulema Khatun, praying for grant of Succession Certificate for an amount of Rs.1,37,523/- (Rupees One Lakh Thirty Seven Thousand Five Hundred Twenty Three) with interest thereon in respect of debts and liabilities of deceased Lt. Abdul Rashid.

The case of the petitioner is that Lt. Abdul Rashid expired on 07/12/2016 at Cherap Bhati Gaon under North Lakhimpur Police Station, District Lakhimpur within the jurisdiction of this Court leaving behind the following legal heirs:

Sl.	Name	Relationship	Age
1.	Musstt.Sulema Khatun	Wife	38 years
2.	Musstt. Rejmina After	Daughter	17 years
3.	Md. Ashraful Haque	Son	12 years

During his lifetime, the deceased was a holder of a Saving Postal Account No.2770413110 at North Lakhimpur Head Post Office with a deposited amount which is morefully described in the Schedule below:

Sl.	From whom payable	Particulars	Amount
1.	Post Master, North Lakhimpur Head Post Office.	Saving Postal A/c. No.2770413110	Rs.1,37,523/-
Total:			Rs.1,37,523/-
Total amount in words: Rupees One Lakh Thirty Seven Thousand Five Hundred Twenty Three.			

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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 parties, Musstt. Rejmina After and Md. Ashraful Haque have authorised their mother, petitioner, Musstt. Sulema Khatun 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. Abdul Rashid vide Ext.1, the original Next of Kin Certificate vide Ext.2 and the original Saving Bank Pass Book, Post Office vide Ext.4.

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, Musstt. Sulema Khatun is entitled to a Succession Certificate as prayed for.

I have also heard Musstt. Rejmina After and Md. Ashraful Haque who are present today.

Issue a Succession Certificate in favour of the petitioner, Musstt. Sulema Khatun for an amount of Rs.1,37,523/- (Rupees One Lakh Thirty Seven Thousand Five Hundred Twenty Three), on payment of requisite Court fee and execution of an indemnity bond.

Misc. succession case stands disposed of.

District Judge,
Lakhimpur, North Lakhimpur.

