

**IN THE COURT OF THE ADDITIONAL DISTRICT JUDGE (F.T.C.),
LAKHIMPUR, NORTH LAKHIMPUR.**

Present: Syed Burhanur Rahman, A.J.S.,
Addl. District Judge (F.T.C.),
Lakhimpur, North Lakhimpur.

Misc. (Succession) No.22/2021.

Smt Chitra Dutta,
W/o Lt Bhola Nath Dutta,
Vill.- Ujani Jalbhari,
P.O.- Jalbhari,
P.S.- Dhakuakhana,
Dist.- Lakhimpur, Assam.

.....Petitioner.

-Vs-

- 1) Smt Hima Das,
- 2) Smt Jaya Dutta,
- 3) Sri Parash Dutta,
- 4) Sri Bharat Dutta.

All are daughters and sons of Lt Bhola Nath Dutta,
Vill.- Ujani Jalbhari,
P.O.- Jalbhari,
P.S.- Dhakuakhana,
Dist.- Lakhimpur, Assam.

.....Opposite Parties.

Advocate for Petitioner : Mr P. Chetia.
Advocate for Opposite Parties : Nil.

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Date of Listing : 07/03/2022.
Date of Judgment/Order : 28/03/2022.

JUDGMENT/ORDER

1) This petition under Section 372 of the Indian Succession Act has been filed by the petitioner, Smt Chitra Dutta, praying for grant of Succession Certificate for an amount of Rs.4,34,723.50 (rupees four lakh thirty four thousand seven hundred twenty three and fifty paise) only, with interest thereon in respect of debts and liabilities of deceased, Bhola Nath Dutta.

2) The case of the petitioner is that her husband, Lt Bhola Nath Dutta expired on 14/08/2021, at his own resident, Jalbhari due to his illness, which is within the jurisdiction of this Court leaving behind the following legal heirs:

Sl. No.	Name	Relationship	Age
1.	Smt Chitra Dutta	Wife	60 years
2.	Smt Hima Dutta	Daughter	40 years
3.	Smt Jaya Dutta	Daughter	38 years
4.	Sri Parash Dutta	Son	36 years
5.	Sri Bharat Dutta	Son	34 years

3) During his lifetime, the deceased, Bhola Nath Dutta was a holder of a Saving Bank Account bearing Account No.0631010162264 at U.B.I., Dhakuakhana Branch, Lakhimpur with a deposited amount of Rs.4,34,723.50

(rupees four lakh thirty four thousand seven hundred twenty three and fifty paisa) only.

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

5) General and special notices were issued and served. None has appeared to file objection.

6) The petitioner has submitted evidence on affidavit and accordingly perused the same. Also seen the Death Certificate marked as Ext.1, the Next of Kin Certificate marked as Ext.2 and the Bank Passbook marked as Ext.3 of the deceased, Bhol Nath Dutta.

7) I have heard the petitioner, Smt Chitra Dutta, who was present in the Court.

8) None has appeared on behalf of the opposite parties and therefore, the instant matter is proceeded ex parte against all the opposite parties.

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

10) On the basis of the sworn in testimony of the witness, I am satisfied that the petitioner, Smt Chitra Dutta is entitled to a Succession Certificate as prayed for.

11) Issue a Succession Certificate in favour of the petitioner, Smt Chitra Dutta for the amount of

Rs.4,34,723.50 (rupees four lakh thirty four thousand seven hundred twenty three and fifty paisa) only deposited in the Saving Bank Account bearing Account No.0631010162264, U.B.I., Dhakuakhana Branch, Lakhimpur, on payment of requisite Court fee and execution of an indemnity bond.

12) Misc. Succession Case stands disposed of accordingly.

Given under my hand and seal of this Court on this the 28th day of March, 2022.

(Syed Burhanur Rahman)
Addl. District Judge (F.T.C.),
Lakhimpur, North Lakhimpur.

Certified that the Judgment is typed to my dictation and corrected by me and each page bears my signature.

(Syed Burhanur Rahman)
Addl. District Judge (F.T.C.),
Lakhimpur, North Lakhimpur.

Transcribed and typed by:

Sri Montu Kherkatary, Stenographer.