

Assam Schedule VIII. Form No. 143
High Court Form No. (J) 13

ORDER-SHEET FOR CIVIL COURT

DISTRICT : SONITPUR
IN THE COURT OF THE DISTRICT JUDGE, SONITPUR, TEZPUR

Misc (S/C) Case No. 32 of 2020
Mrs. Latifan Bibi, Petitioner

Serial No. of Orders	Date	Order	Signature
	<p><u>12-11-2021</u></p>	<p>Petitioner side is present. But, the other legal heirs of deceased are absent for which it could not be verified about their intention to grant the succession in favour of the petitioner. Hence, all the heirs are directed to be present on the next date with affidavit expressing their desire for passing appropriate order in accordance with law.</p> <p>Fix- 18-11-2021 for Order.</p>	
	<p><u>18-11-2021</u></p>	<p>This is an application u/s 372 of Indian Succession Act, 1925 praying for grant of Succession Certificate in respect of schedule property i.e. Rs. 1,42,23,497.50/- (Rupees One Crore Forty Two Lakhs Twenty Three Thousand Four Hundred Ninety Seven and Fifty Paise) only left by deceased Md. Hadish in the bank accounts namely, 1. State Bank of India, Balipara Branch being Current A/c No. 32203428484 amounting to Rs. 16,47,436.98/- (Rupees Sixteen Lakh Forty Thousand Four Hundred Thirty Six and Ninety Eight Paise), 2. State Bank of India, Balipara Branch being Savings A/c No. 30860914932 amounting to Rs. 35,02,300.16/- (Thirty Five Lakh Two Thousand Three Hundred and Sixteen Paise), 3. Punjab & Sind Bank, Dibrugarh Branch being Savings A/c No. 03501000003395 amounting to Rs. 66,187.10/- (Rupees Sixty Six Thousand</p>	

One Hundred Eighty Seven and Ten Paisa), 4. Bank of Baroda, Tezpur Branch being Investment A/c No. 65520100001652 amounting to Rs. 87,06,822.26/- (Rupees Eighty Seven Lakhs Six Thousand Eight Hundred Twenty Two and Twenty Six Paisa), 5. Bank of India, Tezpur Branch being Investment A/c No. 65520300000102 amounting to Rs. 1,51,014.00/- (Rupees One Lakh Fifty One Thousand One Hundred Fourteen) 6. Bank of Baroda, Tezpur Branch being Investment A/c No. 65520300000149 amounting to Rs. 1,49,737.00/- (Rupees One Lakh Forty Nine Thousand Seven Hundred Thirty Seven).

On perusal of the petition it is seen that petitioner Mrs. Latifan Bibi is a permanent resident of Vill: Dekeri Gaon, P.O. & Mouza- Balipara, P.S.- Chariduar, District: Sonitpur, Assam. It is further stated that at the time of death, deceased left behind the following heirs namely, wife, Mrs. Latifan Bibi, aged 54 years, son, Md. Abdul Sobhan, aged 34 years, daughter, Noorjahan Begum, aged 39 years, daughter, Sahera Begum, aged 36 years, daughter, Julekha Begum, aged 30 years and daughter, Rupsana Begum, aged 27 years.

It is also seen that deceased left no WILL or Letter of Administration or Probate in respect of estate of deceased i.e. the schedule property i.e. Rs. 1,42,23,497.50/- (Rupees One Crore Forty Two Lakhs Twenty Three Thousand Four Hundred Ninety Seven and Fifty Paisa) only in the bank accounts namely, 1. State Bank of India, Balipara Branch being Current A/c No. 32203428484 amounting to Rs. 16,47,436.98/- (Rupees Sixteen Lakh Forty Thousand Four Hundred Thirty Six and Ninety Eight Paisa), 2. State Bank of India, Balipara Branch being Savings A/c No. 30860914932 amounting to Rs. 35,02,300.16/- (Thirty Five Lakh Two Thousand Three Hundred and Sixteen Paisa), 3. Punjab & Sind Bank, Dibrugarh Branch being Savings A/c No. 03501000003395 amounting to Rs. 66,187.10/- (Rupees Sixty Six Thousand

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On the basis of the application, notices were issued to the other legal heirs which were duly served and they appeared in court today with an affidavit stating that they have no objection of their mother/ petitioner getting the legal heir certificate in respect of the estate of the deceased. On being asked, the petitioner filed evidence-on-affidavit reiterating the facts narrated in the petition corroborating the stand taken in the petition u/s 372 of Indian Succession Act.

In support of the contention, petitioner has submitted Death Certificate of her husband deceased Md. Hadish marked as Ext. 1, Certificate of Gaon Burah marked as Ext. 2, Statement of A/c No. 32203428484 of State Bank of India, Balipara Branch marked as Ext. 3, Statement of A/c No. 3086914932 of State Bank of India, Balipara Branch marked as Ext. 4, Bank Passbook of Punjab & Sind Bank A/c No. 03501000003395 marked as Ext. 5, Statement of A/c No. 65520100001652, 65520300000102 and 65520300000149 of Bank of Baroda, Tezpur Branch marked as Ext. 6 and Electrol Photo Identity Card bearing No. GNS6635627 of the petitioner Latifan Bibi marked as Ext. 7.

It is also seen that there is no legal impediment u/s 370 or any other law in granting Succession Certificate.

Having been satisfied with the authenticity of facts,

petitioner Mrs. Latifan Bibi appears to be appropriate person to get the Succession Certificate in respect of Schedule Property i.e. Rs. 1,42,23,497.50/- (Rupees One Crore Forty Two Lakhs Twenty Three Thousand Four Hundred Ninety Seven and Fifty Paisa) only **with up to date interest, if any** in the bank accounts namely, 1. State Bank of India, Balipara Branch being Current A/c No. 32203428484 amounting to Rs. 16,47,436.98/- (Rupees Sixteen Lakh Forty Thousand Four Hundred Thirty Six and Ninety Eight Paisa), 2. State Bank of India, Balipara Branch being Savings A/c No. 30860914932 amounting to Rs. 35,02,300.16/- (Thirty Five Lakh Two Thousand Three Hundred and Sixteen Paisa), 3. Punjab & Sind Bank, Dibrugarh Branch being Savings A/c No. 03501000003395 amounting to Rs. 66,187.10/- (Rupees Sixty Six Thousand One Hundred Eighty Seven and Ten Paisa), 4. Bank of Baroda, Tezpur Branch being Investment A/c No. 65520100001652 amounting to Rs. 87,06,822.26/- (Rupees Eighty Seven Lakhs Six Thousand Eight Hundred Twenty Two and Twenty Six Paisa), 5. Bank of India, Tezpur Branch being Investment A/c No. 65520300000102 amounting to Rs. 1,51,014.00/- (Rupees One Lakh Fifty One Thousand One Hundred Fourteen) 6. Bank of Baroda, Tezpur Branch being Investment A/c No. 65520300000149 amounting to Rs. 1,49,737.00/- (Rupees One Lakh Forty Nine Thousand Seven Hundred Thirty Seven).

Accordingly, succession certificate in favour of petitioner Latifan Bibi in respect of schedule property of Rs. 1,42,23,497.50/- (Rupees One Crore Forty Two Lakhs Twenty Three Thousand Four Hundred Ninety Seven and Fifty Paisa) only **with up to date interest, if any**, is granted subject to payment of requisite Court fee.

Accordingly, the case is disposed off.

(C.B. Gogoi)
District Judge
Sonitpur, Tezpur