

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. 39 of 2022
Smti Lakheswari Saikia, Petitioner

Serial No. of Orders	Date	Order	Signature
	<u>22-11-2022</u>	<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. ₹2,07,800/- (Rupees Two Lakhs Seven Thousand Eight Hundred) (Approx.) only left by deceased Kalpana Saikia in the form of LIC policy bearing Policy No.486856989 of Biswanath Chariali Branch, P.O. & P.S. Biswanath Chariali, District- Biswanath, Assam.</p> <p>It is seen that petitioner Smti Lakheswari Saikia is a resident of Village- Dekasundar, P.O- Jamugurihat, P.S. Jamuguri, Mouza- Borbhagia, District- Sonitpur, Assam. It is further stated that at the time of death, deceased left behind the heirs namely, mother Smti Lakheswari Saikia (Petitioner) aged 77 years, brother Biswadev Saikia aged 56 years, brother Nipen Saikia aged 54 years, brother Biman Saikia aged 52 years, sister Alpana Saikia aged 50 years and sister Anjana Saikia aged 45 years.</p> <p>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. ₹2,07,800/- (Rupees Two Lakhs Seven Thousand Eight Hundred) (Approx.) only in the form of LIC policy bearing Policy No.486856989 of Biswanath Chariali Branch, P.O. & P.S. Biswanath Chariali, District- Biswanath, Assam.</p> <p>On the basis of the application, notices were issued which were duly served and other legal heirs appeared before</p>	

	<p>this court and filed their evidence on affidavit stating that they have no objection if petitioner gets the succession certificate in respect of schedule property of deceased Kalpana Saikia.</p> <p>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.</p> <p>In support of the contention, petitioner has submitted Death Certificate of deceased Kalpana Saikia marked as Ext. 1, Death Certificate of Thaneswar Saikia marked as Ext. 2, LIC Policy of the deceased Kalpana Saikia vide Policy No. 486856989 marked as Ext. 3, Letter issued from LIC Biswanath Chariali Branch regarding succession certificate dated 04-10-2021 marked as Ext. 4, Voter ID of the petitioner bearing No. GLK1229681 marked as Ext. 5 and Adhaar Card of the petitioner bearing No. 859801498275 marked as Ext. 6.</p> <p>It is also seen that there is no legal impediment u/s 370 or any other law in granting Succession Certificate.</p> <p>Having been satisfied with the authenticity of facts, petitioner Smti Lakheswari Saikia appears to be appropriate person to get the Succession Certificate in respect of Schedule Property i.e. ₹2,07,800/- (Rupees Two Lakhs Seven Thousand Eight Hundred) (Approx.) only in the form of LIC policy bearing Policy No.486856989 of Biswanath Chariali Branch, P.O. & P.S. Biswanath Chariali, District- Biswanath, Assam.</p> <p>Accordingly, succession certificate in favour of petitioner Smti Lakheswari Saikia in respect of schedule property of ₹2,07,800/- (Rupees Two Lakhs Seven Thousand Eight Hundred) (Approx.) only with up to date interest, if any, is granted subject to payment of requisite Court fee.</p> <p>Accordingly, the case is disposed of.</p>	<p>(C.B. GOGOI) District Judge Sonitpur, Tezpur</p>
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