

ACT XXXIX(Succ.) Case No. 101 of 2024
(CNR : WBCC01-006702-2024)

Present : Sri Abhijit Som, Chief Judge (WB 01127)

Order No. 14 dated 11.08.2026 :

Today is fixed for evidence.

Ld. Advocate on behalf of the petitioner is present by filing hazira.

One affidavit-in-chief supported by affidavit is filed on behalf of petitioner namely Uma Khanna. The petitioner Uma Khanna tenders in evidence the examination-in-chief as PW-1 and proved in evidence the some documents marked as Exhibit 1 to 4 collectively.

PW-1 is examined in full and discharged.

Now, the case record is taken up for passing order.

The instant case arises out of an application under Section 372 of Succession Act seeking grant of Succession Certificate in favour of the petitioner namely Uma Khanna who claims to be one of the legal heirs of deceased namely Vinod Kumar Khanna.

The case of the petitioner is as follows -

The deceased namely Vinod Kumar Khanna, Hindu male, governed by the Mitakshara School of Hindu Law, ordinarily resided at Block- 20, Flat 200302 Ujaas, The CondoVille, 69, S.K. Deb Road, Lake Town, South Dum Dum(M), P.S- Lake Town, North 24 Parganas, West Bengal - 700048, which is situated outside the jurisdiction of this Court. Vinod Kumar Khanna died intestate on 06.06.2017, leaving behind his wife namely Uma Khanna(petitioner) and only son Atul Khanna as his legal heirs and representatives and leaving behind debts and securities as mentioned in the schedule to the application. The parents of the deceased predeceased him. It is stated that there are no other legal heirs and representatives of the deceased except the petitioner and Atul Khanna.

It is stated in the application that no previous application has been filed in any Court of Law either for grant of Probate or Letters of Administration or Succession Certificate with regard to the debts and securities of the deceased involved therein.

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.... Contd. Act XXXIX(Succ.) case no. 101 of 2024 (Order No. 14 dated 11.08.2026)

It appears that despite service of general notice and publication of the notice in a daily English newspaper, no one has come forward to the Court to contest the case.

In support of the case, the petitioner Uma Khanna adduced evidence as PW-1. The documents tendered in evidence on behalf of the witness are marked as Exhibit 1 to 4 collectively as per the exhibit list.

On perusal of the evidence including the death certificate (Exbt. 2), it is found that Vinod Kumar Khanna died on 06.06.2017. PW-1 stated in her evidence that the deceased left no other legal heirs and representatives except Atul Khanna and herself.

Atun Khanna, son of the deceased, filed a no objection petition and stated that he has no objection if succession certificate is granted in favour of the petitioner.

Having considered the oral and documentary evidences, it may be stated that the petitioner has successfully proved the case and accordingly, there is no legal impediment in granting the Succession Certificate in favour of the petitioner.

In the result, the case succeeds.

Hence, it is,

Ordered

that the Succession Certificate be issued in favour of the petitioner namely Uma Khanna for collection of the debts and securities left by Vinod Kumar Khanna, since deceased, as described in the schedule to the application, subject to payment of Court fees.

Petitioner is directed to file Court fees by 20 days from this date.

The original exhibited documents may be returned to the petitioner on submission of certified copies thereof in accordance with law.

The succession case is disposed of.

Dictated & corrected by me,

Chief Judge

Chief Judge
City Civil Court, Calcutta.