

Presented On - 03-02-2014
 Registered On- 03-02-2014
 Decided On - 08-07-2015
 Duration - 01 Y- 05 , M- 05, D-

Civil Judge Junior Division, Ashti

Tal. Ashti, Dist. Wardha

(Presided Over by S. P. Ade)

M.J.C. No.02/2014

Exh.26

Applicant

- 1) Vijay Ramchandra Nerkar,**
 Age - 55 Yrs., Occu:- service,
 R/o Antora, Tq. Ashti, Dist. Wardha.
 Presently r/o Nagpur. Tq.Dist. Nagpur

Non-applicant

- 1) Manager,**
 Nagpur Nagari Sahakari Bank Ltd.
 Nagpur, Banch, Sakkardara,
 Tq. Dist. Nagpur.

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 Shri. P.M. Gaikwad - Advocate for applicant
 Ex-parte against N.A.

Application for Succession Certificate

(Delivered on 08 July, 2015)

1. Applicant has filed this application for obtaining succession certificate.
2. Brief facts of the applicant case are that, applicant's mother Anusaya Ramchandra Nerkar died on 09.04.2013 and father Ramchandra Pandurang Nerkar died on 07.02.2012. They were permanent residence at Mouza Antora and died at Mouza Antora. Applicant is only son to his parents and except the applicant there

is no other heirs. Applicant's father Ramchandra had saving account, vide account No. 7766 with Nagpur Nagari Sahakari Bank Ltd., Nagpur and an amount of rupees 1462/- is outstanding in this account. Hence, to claim the said amount, applicant has filed this application.

3. Applicant has made party to the Nagpur Nagari Sahakari Bank Ltd., it has duly served, but remained absent. Hence, application proceeded Ex-party.

4. After application proceeded Ex-party and as it is application for succession certificate, a proclamation as to the claim of applicant has been issued in daily local newspaper, but none appeared and contested the claim of applicant. Thereafter on Exh. 16 in support of the claim of application, applicant has filed evidence on affidavit to prove the facts. Applicant relied on death certificate of his father Exh. 19, certificate of Grampanchyat Exh. 20, notice published in newspaper Exh. 21,22 and closed evidence vide pursis Exh. 23.

5. In order to satisfy myself as to the outstanding amount in the account of non-applicant and non-applicant remained absent, I issued notice to the non-applicant to file statement of saving account of deceased Ramchandra, as the passbook account Exh. 21 had entries only up to 01.10.2004 and Ramchandra died on 09.04.2013.

6. Non-applicant vide letter Exh. 26 filed statement of deceased Ramchandra at Exh. 27, thereby it transpired that account still continuous one and amount of rupees 1986/- was outstanding.

7. In above facts, as applicant proved death of their parents as well as proved outstanding amount in account of deceased Ramchandra and non appeared to contest the claim of applicant, I accept the evidence of applicant as it is. Therefore, application of applicant deserves to be granted, hence I pass the following order.

ORDER

1. Application is allowed.
2. A succession certificate for deceased Ramchandra saving Account No. 7766 with Nagpur Nagari Sahakari Bank Ltd., Nagpur amount of rupees 1462/- in the form set-forth in scheduled 8 in Indian Succession Act, shall be issued in favour of applicant.
3. Applicant shall also execute indemnity bond of rupees 1462/-, contending that if objection occurred, he shall deposit the said amount as and when called by this court.

Date : 08.07.2015

(S.P. Ade)
Civil Judge,Jr.Dn.
Ashti.