

MHNG020009852026 	<u>Succession Case No. 49/2026</u> Devraj Ramprakash Saxena Vs. NIL <u>ORDER BELOW EXH. 1</u>
---	--

1. Applicants Nos.1 to 3 have submitted this application for grant of Succession certificate under Section 372 of The Indian Succession Act 1925.

2. Case of applicant's in brief are that, applicant no. 1 is the Elder Son, applicant no. 2 is the Younger Son and applicant 3 is the daughter of Late Mr. Ramprakash M. Saxena and Late Mrs. Laxmi Ramprakash Saxena and had a sister namely Late Miss Kavita Ramprakash Saxena who were died respectively on 23.04.2002, 07.07.2024 and 03.04.2025 at Nagpur. It is contended that deceased Ramprakash M. Saxena, deceased Laxmi Ramprakash Saxena and deceased Kavita Ramprakash Saxena don't have any living heirs except applicants.

3. It is further contended that, deceased Kavita Ramprakash Saxena died intestate and the assets of deceased Kavita Ramprakash Saxena would have been devolved to her parents as at the time of death she was unmarried. However, her parents namely deceased Ramprakash Saxena and deceased Laxmi Saxena predeceased Kavita Ramprakash Saxena leaving behind the current applicants who are the successors of their parents as her only real successors as per Hindu Succession Act.

4. Deceased Kavita Ramprakash Saxena have Saving Account in the State Bank of India and Term Deposit Account. Details are as under :

S. No.	Name of Bank	Account No.	Amount
1.	State Bank of India	Saving Bank Account No. 1120496362-8	Rs. 5,296.55/- as on 07.10.2025
2.	Term Deposit	Account No. 11205179303	Rs.1,24,024/- as on 22.09.2025
Total :			Rs. 1,29,320.55/-

The above said amounts are pending in the name of deceased Kavita Ramprakash Saxena and her parents deceased Ramprakash and Laxmi, the applicants are legal heirs of the deceased, hence this application.

5. It is further contended that, death certificates of deceased Kavita Ramprakash Saxena, deceased Ramprakash Saxena and deceased Laxmi Saxena are filed on record. Deceased were permanent residence at Nagpur. Deceased died within the jurisdiction of this court, hence this court has jurisdiction, their claim is genuine and therefore succession certificate be issued in their names.

6. Record and proceedings further shows that, after receiving this application, this Court has issued Citation Notice Exh.5, Public Notice Exh.14 in daily

newspaper “Lokmat Samachar” dated 07.03.2026 and called upon objections if any from the interested person, but no one has appeared and resisted the claim of applicants till today.

7. Applicant No.2 Sunil Ramprakash Saxena has uploaded on E-portal evidence for himself and on behalf of applicant no.1 and 3 in form of affidavit at Exh.8. Applicants uploaded death certificate of deceased Kavita Ramprakash Saxena at Exh. 9, death certificate of deceased Laxmi Saxena at Exh. 10 and death certificate of deceased Ramprakash Saxena at Exh. 11. Applicant also uploaded xerox copies of Bank Passbooks and have filed pursis at Exh.15 and closed their evidence. Thus, in absence of any objection, evidence in the shape of affidavit and documents uploaded on E-portal by the applicants have gone unchallenged.

8. On the basis of the above discussion, pleading and evidence led by the applicants on the basis of document there is no procedural hurdle to hold that applicants are legal heirs of deceased Kavita Ramprakash Saxena. Therefore, I pass the following order :-

ORDER

1. Application is allowed as under :

2. Applicant nos. 1 to 3 are entitled to receive the total amount of **Rs. 1,29,320.55/- (Rs. One lac twenty nine thousand three hundred twenty and fifty five paisa only)** details as under of deceased Kavita Ramprakash Saxena.

S. No.	Name of Bank	Account No.	Amount
1.	State Bank of India.	Saving Bank Account No. 1120496362-8	Rs. 5,296.55/- as on 07.10.2025
2.	Term Deposit.	Account No. 11205179303	Rs.1,24,024.00/- as on 22.09.2025
Total :			Rs. 1,29,320.55/-

3. The applicants are directed to pay requisite court fees as per Section 379 of the Indian Succession Act.
4. Applicant Nos.1 to 3 shall also execute indemnity bond for sum of amount as per Section 375 of Indian Succession Act.
5. On payment of requisite stamp duty in the name of applicant Nos. 1 to 3 as per Schedule VIII and below said certificate a note as per para 312 of Civil Manual shall be appended.

Nagpur
Date :13.07.2026.

(S.P. Ade)
13th Jt.Civil Judge Senior Division,
and A.C.J.M., Nagpur.

CERTIFICATE

I affirm that the contents of this PDF file order are same word to word, as per the original order.

Name of the Stenographer :- R.S. Daware (Gr. III)