

MHNG020000912023	Presented on : 04-01-2023
	Registered on : 20-01-2023
	Decided on : 30-01-2024
	Duration : Y. M. D.
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IN THE COURT OF 4th JT.CIVIL JUDGE, SENIOR DIVISION
NAGPUR.

(Presided over by R.S. Jambotkar)

Succ. C. No.27/2023

Exh.

1. Sukhanand Shikharchand Jain(Modi)
Age 70 years, Occu. : Business,
R/o. 584, Bhandara Road, Itwari,
Nagpur.
2. Manorama Virendra Jain,
(Manorama Shikharchand Jain)
Age 68 years, Occu. : Housewife
R/o. Shastri Ward No.01, Waraseoni,
Dist.Balaghat (MP)
3. Ravindra Shikharchand Jain
Age 60 years, Occu. : Business,
4. Rajendra Kumar Shikharchand Jain,
Age 58 years, Occu. Business
3 and 4 R/o. Bhaji Mandi, Itwari,
Nagpur.
5. Rakesh Shikharchand Jain
Age 57 years, Occu. Business
R/o. Near Maskasath Railway Bridge,
Itwari, Nagpur.

Applicants.

**Applicant Nos.3 for self and power of
Attorney for applicant Nos. 1,2,4 and 5.**

// V E R S U S //

Nil

Non-applicant.

Appearance :-

Advocate for the Applicants : Shri Manoj V. Jain

Advocate for the Non- Applicant : Nil

J U D G M E N T(Delivered on this 30th day of January, 2023)

By the present application, the applicant has sought a succession certificate as per section 372 of Indian Succession Act, 1925.

2. **In short, the applicant's case is that;**

The applicants are sons and daughter of deceased Shikharchand Bhagwandas Jain (Modi), who died on 22-07-2011 and Smt Gaurabai Shikharchand Jain (Modi) who was expired on 09-12-2016 at Nagpur.

3. Smt. Gaurabai Shikharchand Jain (Modi) had deposited an amount of Rs.30,00,589.96 with State Bank of India, Branch Itwari, Nagpur in Public Provident Fund A/c No.11140089759. Therefore, applicants filed this application for succession certificate.

4. Applicant is claiming for grant of succession certificate. Hence, the applicants made application u/s 372 of Indian Succession Act, 1925. The application as well as the evidence not at all disputed by any third person though citation notice and public notice issued. The applicants are only legal heir of deceased Shikharchand Bhagwandas Jain (Modi).

5. The applicant No.3 filed his affidavit below Exh.10. The applicants also produced the documents, power of attorney Exhs.15 and 16, pass-books of Gauribai Shikharchand Jain Exh.17, death

certificate of Gaurabai and Shikharchand Exhs.18 and 19, Adhar Card of applicants Exh.20 to 24 to 18. However, nobody has appeared and opposed the application.

6. Heard learned Advocate for the applicants. The evidence of applicant not at all disputed.

7. Nobody objected that the applicants are the only legal heir of deceased. The evidence remains unchallenged. So, it is very well proved that the applicants are the only legal heir of the deceased, entitled for succession certificate as they prayed. Hence, no reason to reject the application. Hence, I proceed to pass the following order :-

ORDER

1. Application is allowed.
2. Issue succession certificate to Applicant 1. Sukhanand Shikharchand Jain(Modi), 2. Manorama Virendra Jain (Manorama Shikharchand Jain, 3. Ravindra Shikharchand Jain, 4. Rajendra Kumar Shikharchand Jain, Rakesh Shikharchand Jain to receive the of Rs.30,00,589.96 in the name of deceased Gaurabai Shikharchand Jain (Modi) who died on 09-12-2016 along with the interest added there in the account of PPF account maintained in State Bank of India, Branch Itwari, Nagpur having account No.11140089759.
3. Applicant to file indemnity bond for the amount of Rs. 35,00,000/-.
4. The applicants shall pay the appropriate Court fees for the succession certificate.

Nagpur.
Dated : 30/01/2024.

(R.S. Jambotkar)
4th Jt. Civil Judge, Sr. Dn.,
Nagpur.

CERTIFICATE

I affirm that, the contents of this P.D.F. file of judgment are word to word, as per original judgment.

Name of Stenographer : Sau. P.A.Bhoyar

Stenographer(Grade II)