



Presented on: 15.10.2022
Registered on: 15.10.2022
Decided on: 09.11.2023
Duration: Years/Months/Days
01 00 24

C.N.R. No. GANG05 00-1740-2022

**IN THE COURT OF THE CIVIL JUDGE JUNIOR DIVISION
AT BICHOLIM GOA.**

**(Before Ms. Smita U. Sail, Civil Judge Junior Division, 'C'
Court, Bicholim)**

Inventory Proceedings No.144/2022/C

IN THE MATTER OF INHERITANCE OF LATE
Shri. Mohammed Sharif Aga
Alias Shrif Aga alias Mamod Xerif Aga,
Lastly resided at H.No.1419,

Housing Board Colony,
Harvalem/Arvalem,
Sanquelim/Sankhali Goa.

..... Deceased.

AND

Ms. Nasrin S. Aga,
D/o Shri. Mohammed Sharif Aga,
Alias Shrif Aga alias Mamod
Xerif Aga,
Age 36 years, service,
Indian National,
Resident of H.No.1419,
Housing Board Colony,
Sanquelim/Sankhali Goa 405 505.

.....Applicant/Head of the
family.

AND

1.Smt. Hawa Bi Aga alias Avabi Aga
w/o Shri Mohammed Sharif Aga
alias Shrif Aga alias Mamod Xerif Aga,
age 67 years, widow, housewife, (widow)
Indian National

Resident of H.No.1419,
Housing Board Colony,
Sanquelim/Sankhali Goa 403505.

2. Smt. Yasmin Bhanu S (Daughter)
D/o Shri Mohammed Sharif Aga
alias Shrif Aga alias Mamod Xerif Aga,

and w/o Selvaraj
age 45 years, married, service,
Indian National,
Resident of 2/297-11,
Vishalatchi Nagar EXTN,
Pollachi Unjavelampatti,
Tamil Nadu 642003.

3. Shri. Selvaraj M, (son-in-law)
S/o Mysamy,
age 49 years, married, service,
Indian National,
Resident of 2/297-11,
Vishalatchi Nagar EXTN,
Pollachi Unjavelampatti,
Coimbatore, Tamil Nadu 642003.

4. Shri. Yasin Aga (son)
S/o Shri Mohammed Sharif Aga
alias Shrif Aga alias Mamod Xerif Aga
age 43 years, married, service,
Indian National, Resident of H.No.1419,
Housing Board Colony,
Sanquelim/Sankhali Goa 403505.

5. Smt. Sana Aga (Daughter-in-law)
W/o Shri Yasin Aga
age 36 years, service,
Indian National,
Resident of H.No.1419,
Housing Board Colony,

Sanquelim Goa 403505.

6. Shri. Isak Aga (son)
S/o Shri. Mohammed Sharif Aga,
alias Shrif Aga alias Mamod Xerif Aga
age 39 years, service, Indian National,
Resident of H.No.1419,
Housing Board Colony,
Sanquelim Goa 403505.

7. Smt. Mubina Isak Aga (Daughter-in-law)
w/o Shri Isak Aga
age 32 years, housewife,
Indian National,
Resident of H.No.1419,
Housing Board Colony,
Sanquelim Goa 403505.

8. Ms. Nasrin S. Aga, (daughter)
D/o Shri Mohammed Sharif Aga
alias Shrif Aga alias Mamod Xerif Aga,
age 36 years, married, service,
Indian National
Resident of H.No.1419,
Housing Board Colony,
Sanquelim Goa 403505.
Interested party no.1 to 8.

9. Shri. Javed Anwar Xec (son in law)
S/o Shri Anwar Xec
age 42 years, married, service,

Indian National,
R/o H.No.422, Calconda,
Nr. Krishna Temple, Margao,
South Goa 403601.

..... Interested parties.

Head of the Family and Interested Parties are represented by Ld.
Advocate U. Bandodkar.

FINAL ORDER

**(Delivered on this 9th day of the month November of the year
2023)**

The present Inventory proceeding is instituted upon the death of Shri. Mohammed Sharif Aga Alias Shrif Aga alias Mamod Xerif Aga, lastly resided at H.No.1419, Housing Board Colony, Harvalem/Arvalem, Sanquelim/Sankhali Goa.

2. On 05.12.2022, the applicant was appointed as the Head of family and filed statement on oath of Head of the family at exhibit B-6 wherein she deposed that besides the mentioned person therein there are no other heirs, legatees, creditors or any other unknown person who can claim right over the inheritance left by the said estate leaver.

3. On 07.01.2023, amended cause title at exh.B-7, Wakalatnama on behalf of Interested parties at exh.D-8, application for waiver of services at exh.D-9, filed Initial list of Assets was filed at Exhibit C-10, filed memo placing on record certified copy of POA dated 26.12.2022 at exh.D-11, application for waiving of valuation of assets at Exhibit D-12, Final list of Assets was filed at Exhibit A-13.

4. On 13.03.2023, deed of relinquishment at exh.D-14 and same was executed on 06.05.2023 wherein the head of the family and the interested party nos.1 to 7 waived their rights in favor of the remaining heirs and filed certified copy of Deed of Relinquishment at exh.C-14.

5. On 19.08.2023, consent terms was filed at exh.A-17 wherein it was amicably agreed to vague their rights by the head of the family and interested party no.1 to 7 in favour of interested party no.8 and 9.

6. On 16.09.2023, Final Chart of Allotment was drawn by the court and was confirmed at Exhibit A-18 and no objection on behalf

of all the Interested Parties was endorsed, so also 1% Stamp Duty is paid by the parties at Exhibit A-19.

7. However, before I part with the case, I must clarify that the allotment of shares in this inventory does not ipso facto establish the title of the deceased to the asset listed. There has been no detailed investigation of title of the deceased vis-à-vis the asset listed.

8. Now, I have perused the records in the case and in view of the case set out and procedure followed, I am inclined to confirm the assets described in the Final list of assets at Exhibit A-13 to be allotted in terms of and to confirm the same in accordance with the Final Chart of Allotment, which is at Exhibit A-18.

9. Hence, I pass the following:

O R D E R

The Final Chart of Allotment at Exhibit A-18 at pages 1 to 5 is confirmed and made absolute and the share accordingly stands allotted to interested party nos. 8 and 9.

Draw Decree accordingly.

Proceedings closed.

Pronounced in the Open Court.

Place: Bicholim.

Dated: 09.11.2023.

Ma/

(Ms. Smita U. Sail)

Civil Judge, Junior Division,
'C' Court, Bicholim.