

Succession Case No. 1 of 2025

Order No. 12 dated 22.06.2026

Today is fixed for passing order.
Petitioner is present.

Facts of the case in brief :-

The case of the petitioner in a nutshell is that Sanat Kumar Maity died on 10.10.2024 at his residence at village Mahishamuri, PS. Amta leaving behind two sons, Sourav Maity, Saikat Kumar Maity and wife Suniti Maity. Suniti Maity the mother of the petitioner died on 27.01.2021 leaving behind Sourav Maity and Saikat Maity.

The debts and securities and the estate left by the deceased person is two LIC Policies being (1) Policy No. 5430341450 dated 20.03.1991 amounting to Rs. 60036/- along with up to date interest, (2) Policy No. 414759237 dated 28.7.2000 amounting to Rs. 1,82,500/- along with up to date interest of Uluberia Branch, Howrah. The petitioner stated that there are no other legal heirs of the deceased person except the petitioner and his brother. The petitioner further claim to be lawfully entitled to the said sum and thus instituted the present case before this Court praying for a succession certificate issued in their favour in this regard.

The petitioner has filed the draft publication of the newspaper regarding the advertisement that he has instituted a case claiming the succession certificate of the deceased person.

Saikat Kumar Maity, the brother of the petitioner, who is also the son of the deceased person has filed his statement stating that he has no objection if the succession certificate is issued in favour of the petitioner.

Under such circumstances the petitioner filed his examination in chief and adduced documentary evidences. The petitioner is examined in full and was discharged by the Court.

Some documents filed by the petitioner have been marked by exhibits :-

1. Original death certificate of Sanat Kumar Maity. **Exbt. 1.**
2. Original death certificate of Suniti Maity. **Exbt. 2**

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3. LIC Policy No. 414759237 dated 28.7.2000 amounting to Rs. 1,82,500/-
Exbt. 3

4. LIC Policy No. 5430341450 dated 20.03.1991 amounting to Rs. 60036/-
Exbt. 4

5. Original edition of Sangbad Pratidin dated 25.09.2025. **Exbt. 5** and the general notification appearing in the same is marked as **Exbt. 5/1**.

6. Original legal heir certificate issued by Pradhan of Tajpur Gram Panchayat on 05.11.2025 **Exbt. 6**

Now this Court has to consider whether on the basis of documentary evidence and the argument given by the petitioner, can grant the succession certificate to the petitioner or not.

Decision with reasons :-

It is significant to note that the general public were duly notified about the institution of the present case through service of summons as well as wide publication of a general notice in the 25.09.2025 edition of Sangbad Pratidin. The brother of the petitioner did not raise any objection rather gave his consent for issuance of the succession certificate in favour of the petitioner.

After duly taking the aforesaid facts into account, it is considered view of this Court that there is no impediment in issuing succession certificate in favour of the petitioner in respect of the sum of Rs.1,82,500/- along with interest and 60036/- along with interest in respect of the two LIC Policies of the deceased person.

The case, therefore, succeeds.

Hence it is,

ORDERED

That the instant succession case being No. 1 of 2025 be and the same is allowed. Let the Succession Certificate be issued in favour of the petitioner, namely, Sourav Maity regarding the two LIC Policies being (1) Policy No. 5430341450 dated 20.03.1991 amounting to Rs. 60036/- along with up to date interest, (2) Policy No. 414759237 dated 28.7.2000 amounting to Rs. 1,82,500/- along with up to date

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interest of Uluberia Branch, Howrah of the deceased persons, as stated in the schedule of the petition.

Sherestader is directed to check the sufficiency of Stamp Duty and ensure due compliance of all legal formalities and procedure before handing over the succession certificate.

Succession certificate be issued only upon payment of necessary stamp duty and observance of all necessary formalities.

The instant case is accordingly disposed off.

Dealing Assistant is directed to make necessary entries in German Registers and CIS accordingly.

Dated, Amta, 22nd June, 2026

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Succession Case No. 01 of 2025
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CNR No. WBHW07-000026-2025

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