

MHST160013882022



Order Below Exh. 01 in Succession
Application No. 54/2022

(Rajendra Baburao Sawant Vs. No One)

This is an application filed by the applicant for issuing succession certificate under Bombay Regulation Act.

2. Brief facts of the application are as under :-

Applicants are the resident of Wai, Taluka Wai, District Satara. The deceased Rangubai Baburao Sawant was the mother of applicant No. 1 to 4. Deceased Rangubai Baburao Sawant was died on 19.09.2021 at Belmachi, post Kikali Wai. Applicants No. 1 and 2 are the sons and applicant No. 3 to 4 are the daughters of deceased Rangubai Baburao Sawant. Deceased Rangubai Baburao Sawant was entitled for 7th pay Commission bearing the amount of Rs. 35,748/- from Panchayat Samitii Wai. After her death, applicants are the only heirs of the said amount. Accordingly Panchayat Samitii, Wai asked them to bring succession certificate from the Court. Hence, the applicants filed the present application.

3. In the present case, citation was issued at Exh. 11, the paper notice was published in daily "Dainik Sakal" dated 23.10.2022 calling upon the objections from the public at large. However, no one turned to contest the instant application.

4. In support of his contention, the applicant No. 1 has filed on record evidence affidavit at Exh. 11, death certificate of deceased Rangubai Baburao Sawant at Exh. 18, verified copies of adhar cards of applicant No. 1 to 4 at Exh. 12, 13, 23 and 24 respectively and original copy of letter from Panchayat Samitii Wai dated 22.06.2022.

5. From the documents and evidence affidavit filed on

record by the applicants, it reveals that, deceased Rangubai Baburao Sawant was the mother of applicant No. 1 to 4, died on 19.09.2021. No one turned before the Court to contest the claim of the applicant. Hence, there is no hesitation to declare applicants as legal heirs of deceased Rangubai Baburao Sawant. Hence the succession certificate as prayed by applicants needs to be issued under Bombay Regulation Act. Considering all these aspects, I proceed to pass the following order.

ORDER

1. It is hereby declared that, applicant No. 1 to 4 are the legal heirs of the deceased Rangubai Baburao Sawant.
2. Issue succession certificate under the provision of Section 372 of Indian Succession Act in the name of applicants on payment of necessary Court fees and stamp duty for the amount of Rs. 35,748/- (Rs. Thirty Five Thousand Seven Hundred Fourty Eight only).

Place : Wai
Date : 13.02.2023.

(C. V. Shirsat)
Jt. Civil Judge, Jr. Dn, Wai.