



2026:CGHC:21525



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HIGH COURT OF CHHATTISGARH AT BILASPUR

CR No. 119 of 2026

Durga Prasad Sao, S/o- Late Malluram Sao, Aged About 63 Years R/o- Mahavir Ward, Bhatapara, Tahsil Bhatapara, District- Balodabazar- Bhatapara (C.G.)

... Applicant.

Versus

1 - Smt Budhara Bai W/o- Late Malluram Sao, Aged About 79 Years R/o- Mahavir Ward, Bhatapara, Tahsil-Bharapara. Present Address Parmeshwar Singh Sahu, Village- Mehna, Tahsil- Nandgaht, District- Bemetara (C.G.)

2 - Parvati Sahu, W/o- Parmeshwar Singh Sahu, Aged About 55 Years R/o- Village Mehna, Police Station And Tahsil- Nandghat, District- Bemetara (C.G.)

3 - Radha Bai, W/o- Dulendra Kumar Sahu, R/o- Village- Nevdha, Tahsil - Tilda, District- Raipur (C.G.)

4 - General Public And Whosoever Related Nil

... Respondents.

(cause title downloaded from CIS Periphery)

For Applicant	:	Mr. Rajkumar Pali, Advocate.
For Respondents	:	-

(Hon'ble Shri Justice Naresh Kumar Chandravanshi)

Order on Board

08/05/2026

1. Heard on admission.



2. This Civil Revision has been preferred against the impugned judgment dated 19.03.2026 passed by the learned Additional Judge to the Court of District Judge Bhatapara, District Balodabazar, in Misc. Civil Appeal No.08/2024, whereby it upheld the order dated 30.08.2024 passed by the Civil Judge, Senior Division, Bhatapara, District Balodabazar, in Succession Case No. 03/2022. In that case, a succession certificate was directed to be issued in favour of Respondents No.1 to 3 (Applicants No.1 to 3 therein) and the Petitioner (Non-Applicant No.2 therein) holding them to be legal heirs of the late Malluram Sao son of Ghasiram Sao.
3. Facts of the case, in nutshell, are that late Malluram, S/o Ghasiram Sao, opened his account in the District Cooperative Central Bank Maryadit, Branch Bhatapara, having Account No. 624042072429. Late Malluram passed away on 25.04.2021. As on 10.02.2022, Rs. 5,41,490/- was available in his savings account. After the death of late Malluram, his wife Smt. Budhara Bai and his daughters Parvati and Radha Bai filed an application before the learned Civil Court for the grant of a succession certificate under Section 372 of the Hindu Succession Act, 1976 (henceforth the "Act 1976"), and impleaded the General Public and Durga Prasad Sao (Petitioner herein) as respondent parties.
4. After hearing the parties and on the basis of the evidence adduced, the learned Civil Court vide order dated 30.08.2024 (Annexure-P/4), allowed the application filed by Respondents No.1 to 3 and held that Respondents No. 1 to 3 (Applicants therein) as well as the Petitioner (Non-Applicant No. 2 therein) are entitled to get a succession certificate. The Court further held that they, being the wife, daughters, and son, are equally entitled for a share of the amount available in the savings account of the late Malluram.



5. Against the aforesaid order, the Petitioner (Non-Applicant No. 2) filed an appeal before the Appellate Court, which was dismissed by the impugned judgment dated 19.03.2026 (Annexure-P/1), which is assailed in the instant Civil Revision.
6. Learned counsel for the applicant submits that late Malluram Sao executed a Will deed on 18.02.2021 (Annexure-P/5) in favour of the petitioner, wherein he bequeathed his movable and immovable property in the petitioner's favour. Therefore, on the strength of the aforesaid Will deed, the petitioner alone is entitled to get the succession certificate in respect of the amount available in the savings account of his father, late Malluram. In support of this contention, counsel also draws the attention of this Court towards the last paragraph of the aforesaid Will and submits that, by the said Will, the petitioner is solely entitled to the aforesaid amount. Hence, he prays to admit this Civil Revision.
7. Heard learned counsel for the applicant and perused the documents available with the case.
8. Undisputedly, Respondent No.1 Smt. Budhara Bai is wife of late Malluram Sao. Respondents No.2 and 3 are daughters of the late Malluram Sao, and the Petitioner is his son. As such, they are Class-I legal heirs of the late Malluram. It is also not in dispute that after the death of the late Malluram, Rs.5,41,490/- is available in his savings account at the District Cooperative Central Bank Maryadit, Branch Bhatapara.
9. Now, the petitioner is claiming a sole right to the aforesaid amount on the strength of the Will deed dated 18.02.2021 (Annexure-P/5) allegedly executed by his father, late Malluram Sao in his favour. However, a bare perusal of the aforesaid Will it nowhere indicates that the petitioner is solely



entitled to the amount available in the savings account of the late Malluram, rather, the aforesaid Will only speaks about a house situated at Bhatapara and agricultural land situated at Village Hathni. The Will is completely silent in respect of the distribution of the subject amount deposited in the District Cooperative Central Bank Maryadit, Branch Bhatapara.

10. In view of the aforesaid discussion, in the considered opinion of this Court, learned Civil Court as well as the learned Appellate Court did not commit any error of law in holding that the Petitioner and Respondents No. 1 to 3, being legal heirs, are jointly entitled to get a succession certificate in respect of the subject amount of the late Malluram.
11. Accordingly, the Revision fails and is dismissed at the admission stage itself.
12. Pending application, if any, also stands disposed of.

Sd/-
(Naresh Kumar Chandravanshi)
Judge

Ajay