

Misc. (S/C) Case No. 3/2020

ORDER

10-12-2021

This is an application u/s 372 of Indian Succession Act, 1925 filed by petitioner Sri Amrit Sonowal for issuance of Succession Certificate in his favour in respect of deposits left by his deceased uncle Late Duleswar Sonowal.

From a perusal of the petition and the affidavit filed by the petitioner, it is revealed that amount of Rs. 17,07,152 (Rupees Seventeen Lac Seven Thousand One Hundred and Fifty-Two Only) is lying towards his GIS, Leave Salary and Gratuity in NF Railway, Dibrugarh Railway Workshop.

After going through the contents of the petition, it appears that, the deceased Late Duleswar Sonowal who was a bachelor expired on 13-08-2018, leaving behind his nephew Sri Amrit Sonowal (petitioner), niece Smt. Hiranya Prova Sonowal, nephew Sri Madhurjya Sonowal and brother Sri Ambika Sonowal. The petitioner has appeared and filed his evidence on affidavit along with Death Certificate of Late Duleswar Sonowal (Ext 1), Next of Kin Certificate (Ext. 2) and the letter issued by NF Railway in respect of finalization of final settlement dues (Ext. 3).

Notices were issued as per Rule and duly served. Other legal heirs of Late Duleswar Sonowal, namely Smt. Hiranya Prova Sonowal, Sri Madhurjya Sonowal and Sri Ambika Sonowal have appeared and filed an affidavit stating therein that they have no objection if succession certificate is granted in the name of the petitioner. It has been stated in the petition that the deceased had made no WILL and no application has been made in any Court for grant of succession certificate in favour of the petitioners in respect of the deposit left by the deceased or for probate. It has also been stated that there is no impediment u/s 370 of Indian Succession Act, 1925 to grant succession certificate in the name of the petitioners.

Accordingly the petition is allowed. Issue succession certificate in favour of the

petitioner, Sri Amrit Sonowal for amount of Rs. 17,07,152 (Rupees Seventeen Lac Seven Thousand One Hundred and Fifty-Two Only) on payment of requisite court fee and on furnishing indemnity bond.

The instant case is accordingly disposed of.

Consign the record of the case to the record room.


District Judge,
District Judge
Dibrugarh