

**Misc. (S/C) Case No. 22 of 2020**

**ORDER**

**04-04-2022**

This is an application u/s 372 of Indian Succession Act, 1925 filed by petitioners namely, Sri Sibeswor Kalindi, Miss. Anandita Kalindi and Mr. Dipankor Kalindi for issuance of Succession Certificate in favour of petitioner Sri Sibeswor Kalindi in respect of deposits left by their deceased father, Late Gopal Kalindi.

From a perusal of the petition and the affidavit filed by the petitioner, it is revealed that an amount of Rs. 1,77,000/- (Rupees One Lac Seventy-Seven Thousand) as on 09-12-2020, being the Provident Fund amount was lying with the Dikom TE in respect of Late Gopal Kalindi (PF No. 10306) .

After going through the contents of the petition, it appears that, the deceased Late Gopal Kalindi expired on 21-03-2020 leaving behind the petitioners. Rina Kalindi, mother of the petitioner predeceased their father. The petitioner has appeared and filed his evidence on affidavit along with the residential certificates of Smt. Anandita Kalindi, Sri Dipankar Kalindi, the petitioner Sibeswor Kalindi as Ext. 1, 2 and 3 respectively, Certificate issued by Dikom TE certifying the amount accumulated in the PF account of the deceased as Ext. 4, death certificate of his deceased father, Late Gopal Kalindi as Ext 5, Next of Kin Certification issued by the Office of the Deputy Commission, Dibrugarh wherein the names of the petitioners are shown as Ext 6, Deposits/transaction enquiry as Ext. 7, HSLC Admit card of the petitioner as Ext. 8, Pay Slip in respect of the deceased as Ext. 9, death certificate of his deceased mother Late Rina Kalindi as Ext. 10, PAN card of the deceased as Ext. 11 and Voter ID of the deceased as Ext. 12

It has been stated that the petitioner No. 2 and 3, who are minors and represented by the petitioner No. 1, have no objection of succession certificate is granted in the name of the petitioner Sri Sibeswor Kalindi in respect of PF accumulation left behind in respect of their father Late Gopal Kalindi.

Notices were issued as per Rule and duly served. None has appeared and filed any objection. 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 Sibeswor Kalindi in respect of the amount of Rs. 1,77,000/- (Rupees One Lac Seventy-Seven Thousand), being the Provident Fund amount lying with in connection with his employment in Dikom Tea Estate in respect of Late Gopal Kalindi (PF No. 10306), 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.

~~dt~~ 4.4.2022

District Judge,  
Dibrugarh