

Misc. (SC) Case No.5/18

Present : Shri C. Das,
District Judge,
Baksa, Mushalpur

Jashada Das Petitioner

-versus-

DC.Baksa, Mushalpur & ors. ... Opp.parties

Date 12/3/18;

ORDER

This is an application for succession certificate u/s 372 of Indian Succession Act, 1925 r/w section 13 of Hindu Succession Act, 1965 by the petitioner in order to receive a sum of Rs.4,00,000/- only from " SBI General Insurance Co. Ltd., for accident and health claims, concerning to claim no.234988, policy no.143990,0000,91, beneficiary nominee-Jashada Das for the deceased husband late Dayal Chandra Das, son of late Mathura Das, o village-Khairabari, Mouza-Kumarikata, PS-Tamulpur, District- Baksa, (BTAD) Assam.

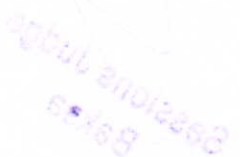
It is stated by the petitioner that when her husband Dayal Chandra Das, was going to her home from Kumarikata bazar, he was knocked down by one motor-cycle bearing no.AS-15/G-0898, due to rash and negligent driving, near Forest Office Tini-ali of Kumarikata under Tamulpur police station of Baksa district, Assam. As a result, her husband expired at GNRC hospital, North Guwahati. Accordingly, a case was registered as Tamulpur PS. Case No.193/14.

The above deceased person left behind after him, the following successors:-

<u>Names</u>	<u>Age</u>	<u>Relation</u>	<u>Occupation</u>
1. Jashada Das	44 years	wife	House-hold
2. Smti. Silpa Das	16 years	daughter	student
3. Sri Gautam Das	14 years	son	student
4. Sri Biki Das	12years	son	student
5. Sri Pratim Das	10years	son	student

The above deceased had opened a SBI General Insurance Policy, being SBI General Claim No.234988, Policy No.143990 0000,01, Journal No.36159364, SBI account No.SB 31551442362, the name of the company being SBI General Insurance Co. Ltd., accident and health


**Sessions Judge
Baksa**


Sessions Judge
Baksa

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deceased. The petitioner is legal guardian and natural mother of four minor children of the deceased person.

There is no rebuttel of the above evidence so tendered by the petitioner. After considering the material on record as well as, the documents placed by her, I am satisfied that the petitioner being the wife, is the only legal heir of the deceased/ husband Dayal Chandra Das. Hence she is entitled to withdraw and to receive the insurance claim of Rs.4,00,000/- of the deceased from the SBI General Insurance Co. Ltd. Therefore, there is no bar to issue a succession certificate in favour of the petitioner withdraw and to receive the insurance claim amount of Rs.4,00,000/- of her husband from the concerning authority. Accordingly, the application of the petitioner is allowed.

Issue succession certificate in favour of the petitioner above named in connection with SBI General Insurance Co. Ltd., policy No.SBI General Claim No.234988, Policy No.143990 0000,01, Journal No.36159364, in respect of SBI account No.SB 31551442362, accident and health, for Rs.4,00,000/-, left by her deceased Dayal Chandra Das, after depositing of proper and requisite court fee etc., by the petitioner.

The Misc (SC) Case is stand disposed of.


District Judge
Sessions Judge
Baksa, Mushalpur
Baksa