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APPLICATION FOR SUCCESSION CERTIFICATE
In the Court of the Senior Civil Judge, Shillong
O.P. /2019

Between :

1. Sushmita Mukherjee
2. Swagata Mukherjee
3. Rahul Mukherjee

(Petitioners 2 and 3 being minors represented by their mother and natural guardian, the first petitioner)

Petitioners.

Petition filed on behalf of petitioners under Section 240 of Indian Succession Act.

(1) Description of the petitioners:-- The first petitioner is Sushmita Mukherjee, W/O late Mukul Mukherjee, Hindu, aged about years, housewife, Police Bazaar, Shillong.

The second petitioner is s/o late Mukul Mukherjee, Hindu, aged about 6 years.

The third petitioner is s/o late Mukul Mukherjee, Hindu, aged about 4 years,

Petitioners 2 and 3 being minors under the custody of the first petitioner.

Address for service is that of their Advocate.

(2) The first petitioner is the wife and the petitioners 2 and 3 are sons of late Mukul Mukherjee. Late Mukul Mukherjee used to do cloth business during his life time. He also used to lend money to others on interest. Due to heart failure the said Mukul Mukherjee died onHe died intestate and he did not execute any will or document regarding his estate before his death. In fact he is entitled to recover money from several persons as detailed in the schedule.

He is also having Savings Bank Account in State bank of India, Shillong with his S.B.I. a/c No. and an amount of Rs is under the said account. Except the petitioners there are no other legal representatives

to the deceased Mukul Mukherjee. Hence the petitioners are entitled for the amount mentioned in the schedule. Hence this petition.

(3) No such petition for Succession Certificate was filed by the petitioners previously before any Court of Law.

(4) **Cause of action:**— The cause of action arose date when the late Mukul Mukherjee expired leaving behind the petitioners as his L. Rs. at Tenali. where the petitioners reside.

(5) This being an application for Succession Certificate a court fee of Rs..... is paid herewith under Art. __, Sch. __ of Meghalaya Court Fees and Suits Valuation Act.

(6) Succession duty of is paid herewith.

(7) It is therefore prayed that this Hon'ble Court may be pleased to issue Succession Certificate in favour of the petitioners for the collection of the amounts detailed in the schedule.

Petitioner

Advocate for the petitioner

Verification

Same cause title

Schedule filed on behalf of the petitioners

Sl No.	Amounts due with particulars	Amount
1.	C Walang, Employee, Shillong amount due under pronote dated...	Rs 10,000-00
2.	Steven Syiem, Pronote dated.....	79,000-00
3.	Amount in S.B. a/c No..... SBI Bank, Shillong	78,654-00

Total

257654-00

The Petitioners are entitled to the interest over the above amounts.

Advocate for the petitioner

Petitioner

Verification

Hints:- (1) It is no necessity to add respondents in the cause title. If there are any rival claimants, then those claimants can be added as respondents. If those rival claimants are not eligible for any share in the amounts it should be mentioned in the petition that they have no right. If any of the rival claimants are also L.Rs. and if they are not co-operating in filing this application, it should be mentioned in the petition as to the share of the rival claimants.

(2) Normally the Court order for general notice to the public by way of paper publication. After hearing the objections from anybody after the paper publication, the Court will record the evidence of the petitioners and the court will issue the Succession Certificate. Basing upon the amounts claimed the succession duty has to be paid in the form of Non-judicial General Stamps and they should accompany the petition. The decree will be typed on those general stamps.

(3) Further it must be noted that application under this section need not save limitation for debts under pronotes etc. If the pronotes are going to be time barred before the grant of Succession Certificate, the petitioners should file the suit on the basis of those pronotes.

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