

IN THE COURT OF MS. SHEFALI BARNALA TANDON :
ADMINISTRATIVE CIVIL JUDGE- CUM- ADDITIONAL RENT
CONTROLLER (CENTRAL) : DELHI

Petition No. : SC/179/19

In the matter of:-

Sh. Abdul Wahid,
S/o. Late Abdul Waheed,
R/o. 1386, Kalan Mahal,
Darya Ganj,
New Delhi-110002.

....Petitioner.

Versus

The State & Ors.

....Respondents.

Date of Institution : 16.12.2019
Date of order when reserved : 15.09.2020
Date of order when announced : 23.09.2020

J U D G M E N T

1. The present succession petition has been filed by the petitioner namely Abdul Wahid in respect of a saving bank account bearing No. 0114000100252136 with Punjab National Bank, Chawri Bazar branch, Delhi, left by the deceased namely Smt. Promila Gupta (hereinafter referred as '*the deceased*'), who expired on 27.09.2016 at Delhi, claiming that '*the deceased*' was the wife of the present petitioner.

2. After filing of the petition, notice was given to the general public by way of publication in the newspaper '*The Statesman*' dated 10.01.2020; but none has appeared from general public to oppose or contest the

present petition.

3. Statement of respondent No.2 namely Sh. Kanwal Faisal, who is stated to be the son of the deceased, has been recorded as RW-1 with regard to his no objection for the grant of Succession Certificate in favour of the petitioner Sh. Abdul Wahid.

4. In order to substantiate his case, the petitioner Sh. Abdul Wahid deposed as PW-1 and stated that '*the deceased*' was his wife, who expired on 27.09.2016 at Delhi and her death certificate has been exhibited as **Ex. PW-1/1**. Besides him, the deceased has left behind one son namely Sh. Kanwar Faisal and one daughter namely Smt. Urooj Khan, who are respondents No. 2 & 3 in the present petition and they have filed their no objections for the grant of succession certificate in his favour, same are marked as **Mark A** and **Mark B** respectively. The '*deceased*' did not execute any Will during her life time. The deceased has left behind a saving bank account bearing No. 0114000100252136 with Punjab National Bank, Chawri Bazar branch, Delhi having a balance amount of Rs.14,60,413.47, the certified copy of statement of account is exhibited as **Ex. PW-1/2**. The '*deceased*' was ordinarily resident of Delhi and there is no impediment for grant of Succession Certificate in his favour.

5. In view of the evidence adduced by the petitioner which has remained un-rebutted and un-controverted, the court is of the considered opinion that there is *prima-facie* no impediment for grant of Succession Certificate in favour of the petitioner namely Sh. Abdul Wahid in respect of a saving bank account bearing No. 0114000100252136 with Punjab National Bank, Chawri Bazar branch, Delhi having a balance amount of Rs.14,60,413.47/- only lying in the name of ' *the deceased*'.

Succession Certificate granted accordingly. Succession certificate be drawn on deposit of requisite court fee of Rs.29,208/- & on furnishing an Indemnity Bond with one surety within 15 days. File be consigned to Record Room, as per rules.

SHEFALI BARNALA
TANDON

Digitally signed by SHEFALI
BARNALA TANDON
Date: 2020.09.23 16:15:41
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Announced through
Video conferencing
23.09.2020

(SHEFALI BARNALA TANDON)
Administrative Civil Judge-cum-on
Additional Rent Controller (Central)
Delhi.

THIS JUDGMENT CONTAINS 3 PAGES