

**IN THE COURT OF ADDL. DISTRICT JUDGE
AIZAWL JUDICIAL DISTRICT : AIZAWL**

PRESENT

Shri Vanlalenmawia
Addl. District & Sessions Judge-II
Aizawl Judicial District, Aizawl

Heirship Certificate No. 283/2017

Hari Pada Dey
S/o Harendra Chandra Dey (L)
R/o Bara Bazar, Dawrpui,
Aizawl, Mizoram ... Petitioner

Versus

Hiran Moy Dey
S/o Harendra Chandra Dey (L)
R/o Dawrpui, Aizawl, Mizoram ... Opposite Party

Date of Order ... 1.3.2017

ORDER

The application has been filed under Section 8 & 22 of Hindu Succession Act, 1956 for issuance of Heirship Certificate in respect of the land covered by Stall Pass No. 8 of 1968 measuring 10' x 10' issued under Memo No. EP.3/A/68/2253-6 dated 30.8.1968.

The fact of the case in brief is that Harendra Chandra Dey died on 12.3.1998 leaving immovable property i.e. the land covered by Stall Pass No. 8 of 1968 measuring 10' x 10' issued under Memo No. EP.3/A/68/2253-6 dated 30.8.1968. The petitioner Hari Pada Dey is the son of late Harendra Chandra Dey who is a Class-I heir in the schedule specified under the Hindu Succession Act, 1956. In the petition of Hari Pada Dey, he mentions that there is no objection on the part of the applicant's family. Hari Pada Dey also mentions that Hiran Moy Dey, who is the elder brother of Hari Pada Dey has submitted no objection to the application for issuance of Heirship Certificate in the form of examination-in-chief of Hiran Moy Dey on affidavit. Finally, he submits that his mother Nilima Dey died on 11.11.2012.

The issue of this case is as follows: -

1. Whether the petitioner is entitled to be declared as legal heir of late Haren Chandra Dey.

I have heard the Id. Counsel Smt. Lalnunpuii appearing for the petitioner.

On perusing the records, I find that the applicant is entitled to be declared as legal heir of Harendra Chandra Dey in respect of the land covered by Stall Pass No. 8 of 1968 measuring 10' x 10' issued under Memo No. EP.3/A/68/2253-6 dated 30.8.1968 located at Bara Bazar, Aizawl (opposite to Taxi Stand).

Hence, issue Heirship Certificate in the name of the applicant.

The petition is disposed off.

Sd/- VANLALENMAWIA
Addl. District & Sessions Judge-II
Aizawl Judicial District, Aizawl

Memo No.:...../AD&SJ(A)/2017 : Dated Aizawl, the 1st March, 2017
Copy to: -

1. Shri Hari Pada Dey through Counsel Ms. Lalnunpuii, Advocate.
2. Shri Hiran Moy Dey S/o Harendra Chandra Dey (L) R/o Dawrpui, Aizawl, Mizoram.
3. District Judge, Aizawl Judicial District, Aizawl.
4. Registration Section.
5. Guard File.
6. Case Record.
7. Calendar Judgment.

P E S H K A R