

**HIGH COURT OF TRIPURA
AGARTALA**

**IA No.02 of 2018
In L.A. App No. 29 of 2012**

Suratwa Chakma & Ors.

-----Applicant(s)

Versus

The Officer Commanding,
112 RCC, Gref, C/O-99
APO & Anr.

-----Respondent(s)

For Applicant(s) :Mr. S. S. Debnath, Adv.

For Respondent(s) :Mr. H. Deb, Asst. S. G.

HON'BLE MR. JUSTICE S. TALAPATRA

Order

05/07/2018

Heard Mr. S. S. Debnath, learned counsel appearing for the applicant as well as Mr. H. Deb, learned Asst.S.G. for the respondents (the appellant in L.A. App No. 29 of 2012).

Mr. S. S. Debnath, learned counsel has further submitted that the appellant in LA App No. 29 of 2012 has deposited a sum of Rs.9,96,316/- in this Registry. The respondent No.1 in the appeal expired. There is no dispute that the applicants being 1(a), 1(b), 1(c) & 1(d) are his legal heirs. But no succession certificate has been filed. However, Mr. Debnath, learned counsel has submitted that the applicants filed their survival certificate issued by the Sub-Divisional Magistrate, Longtharai Valley (Annexure 2 to this application).

That apart, the applicants No. 2 to 8 are being represented by the respondent No. 9, their attorney. Copy of the special power of attorney has been annexed with this application (Annexure-3).

Mr. H Deb, learned Asstt S. G. has submitted that he has no objection if the payment is made to the applicants following the due process.

In view of the above, Registry is directed to disburse the share of the applicants, whose names are appearing in the cause title proportionately by transferring the respective share to the individual account. For the applicants No.2 to 8, the applicant No.9 may represent them for other purpose such as acknowledging the payment by transfer. So far the applicant No. 1(a), 1(b), 1(c) & 1(d) are concerned, their shares shall be released after their production of the succession certificate.

In terms of the above, this application stands allowed and disposed of.



JUDGE