

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****CR No. 154 of 2014**

1. Luro Bai And Ors. S/o Late Maara Sirha Aged About 37 years R/o Raut Para, Balpet, P.O. Balpet, Tah. And P.S. Dantewada, Distt. South Bastar Dantewada C.G.
2. Ku. Subhadra D/o Late Lalram Aged About 16 Years Minor, Thru- Mother Smt. Luro Bai, R/o Raut Para, Balpet, P.O. Balpet, Tah. And P.S. Dantewada, Distt. South Bastar Dantewada C.G.
3. Jagat S/o Late Lalram Aged About 11 Years Minor, Thru- Mother Smt. Luro Bai, R/o Raut Para, Balpet, P.O. Balpet, Tah. And P.S. Dantewada, Distt. South Bastar Dantewada C.G.
4. Kumari Seema D/o Late Lalram Aged About 9 Years Minor, Thru- Mother Smt. Luro Bai, R/o Raut Para, Balpet, P.O. Balpet, Tah. And P.S. Dantewada, Distt. South Bastar Dantewada C.G.

---- Applicants**Versus**

1. Smt.Sonadayee And Ors. W/o Late Lalram Aged About 60 Years R/o Raut Para, Balpet, P.O. Balpet, Tah. And P.S. Dantewada, Distt. South Bastar Dantewada C.G.
2. Chain Singh S/o Late Lalram Aged About 40 Years R/o Raut Para, Balpet, P.O. Balpet, Tah. And P.S. Dantewada, Distt. South Bastar Dantewada C.G.
3. Bhagat Singh S/o Late Lalram Aged About 25 Years R/o Raut Para, Balpet, P.O. Balpet, Tah. And P.S. Dantewada, Distt. South Bastar Dantewada C.G.
4. Ku. Ramila D/o Late Lalram Aged About 35 Years R/o Raut Para, Balpet, P.O. Balpet, Tah. And P.S. Dantewada, Distt. South Bastar Dantewada C.G.
5. Smt. Pramila W/o Surendra Aged About 38 Years D/o Late Ramlal, R/o Tudparaas, P.S. And P.O. Dantewada, Distt. South Bastar Dantewada C.G.
6. Smt. Sarita W/o Ashok Aged About 23 Years D/o Late Ramlal, R/o Muchnar, P.O. And P.S. Barsur, Distt. South Bastar Dantewada C.G.
7. State Bank Of India Thru- Branch Manager Dantewada, P.O., Tah. And Distt. South Bastar Dantewada C.G.
8. General Public

---- Respondents

For applicants	: Mr. R.N. Jha, Adv.
For Respondents No. 1 to 6	: Mr. Keshav Devangan, Adv.
None for other though served.	

Order on Board**13/08/2015**

1. This order shall govern disposal of Civil Revision No. 154 of 2014.
2. The applicant has filed this revision against the order 31-10-2014 passed by the Additional District Judge, South Baster, Dantewada in Misc. Civil Appeal No. 3/14 whereby learned Additional District Judge allowed the appeal filed by the applicants against the order dated 16-4-2013 passed by the Civil

Judge Class – I, Dantewada in Succession Case No. 8/2008 under Section 372 of Succession Act. The Succession Court rejected the prayer made by the applicant to issue succession certificate for the amount deposited with the State Bank of India, Branch Dantewada and held that the non-applicants No. 1 to 4 are entitled to receive the entire amount deposited with the State Bank of India, branch Dantewada with interest. On appeal, the appellate Court vide impugned order modified the order of the succession court and held that all the appellants along with respondents No. 2, 3 and 4 are entitled to receive the amount. If they deposit court fee as per rules, succession certificate may be issued under the provisions of Succession Act.

3. As per brief facts mentioned in the instant revision, deceased Lalaram executed one authorization letter entitling the present applicants to withdraw the amount deposited before respondent No. 7/Bank. The succession court on the basis of the said authorization letter ordered for grant of succession certificate in favour of the present applicants. The respondents challenged the same before the Additional Distt. Judge who modified the order of the succession court holding that as Luro Bai was not the legally wedded wife of late Lalaram, all the appellants and respondents No. 2 to 4 are wife and legitimate and illegitimate children of Lalaram, they are entitled as per Hindu Succession Act and also entitled to get the amount deposited jointly.
4. Heard on motion.
5. Learned counsel for the applicants supported the grounds taken in the revision and submitted that on the basis of entire ground mentioned, the revision may be admitted for hearing.
6. During submission, no proposition of law could be demonstrated by learned counsel for the applicants as to how and why the judgment passed by the appellate court in appeal is against the settled law.
7. Having considered the facts and circumstances of the case and material on record, in the opinion of this Court, the order of the appellate court is based on sound principles of law and does not require any interference.
8. The instant revision deserves to be and is hereby dismissed at motion stage itself.
9. No order as to costs.

Sd/-

Chandra Bhushan Bajpai
Judge