

HIGH COURT OF CHHATTISGARH, BILASPUR

CR No. 95 of 2016

1. Saraswati Gabel W/o Late Dekraj Singh Gabel, Aged About 32 Years,
2. Puspraj @ Puspendra Kumar, S/o Late Dekraj Singh Gabel, Aged About 8 Years, Minor Represented Through His Natural Guardian Mother Saraswati Gabel, W/o Late Dekraj Singh Gabel, Aged about 32 years, R/o Village Arjuni, Tehsil Sakti, Civil and Revenue District Janjgir Champa, (Chhattisgarh)(Applicants)

---- Applicants

Versus

1. Public At Large
2. Branch Manager, Zila Sahkari Bank Maryadit Bilaspur, Branch Sakti, Tehsil Sakti, Civil and Revenue District Janjgir Champa (Chhattisgarh)
3. Branch Manager, Bilaspur, Raipur Kshetriya Gram Bank, Branch Sakti, Tehsil Sakti, Civil and Revenue District Janjgir Champa (Chhattisgarh)
4. Branch Manager, Bhartiya State Bank, Branch Sakti, Tehsil Sakti, Civil and Revenue District Janjgir Champa (Chhattisgarh)
5. Chanda Bai W/o Shyam Singh Gabel, Aged About 70 Years;
6. Omprakash, S/o Shyam Singh Gabel, Aged About 40 Years;
7. Arun, S/o Shyam Singh Gabel, Aged About 43 Years;
8. Tumedhwaj Singh, S/o Shyam Singh, Aged About 53 Years;
9. Bharatlal S/o Shyam Singh Gabel, Aged About 35 Years;
10. Rukmani Bai D/o Shyam Singh Gabel, Aged About 35 Years

Respondents No.5 to 10 are R/o Village Arjuni, Tehsil Sakti, Civil and Revenue District Janjgir Champa (Chhattisgarh).....(Non Applicants)

---- Respondents/

For Applicant	:	Shri D.N. Prajapati, Advocate
For Respondent No.1	:	Ms. Neha Verma, Advocate
For Respondents/State	:	Shri Samir Behar, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

14/07/2016

1. Heard.
2. The Succession Court on the application of the present applicants has granted succession certificate to them as well as to Smt. Chanda Bai, mother of the deceased Dekraj Singh under Section 372 of Indian

Succession Act (for short 'the Act') holding they are the Class-I heirs of the deceased Dekraj Singh under Schedule indicated under Section 8 of the Act. Against which the present applicants preferred first appeal before the First Appellate Court. The first appellate Court affirmed the finding of the succession Court and held that respondent No.5 Chanda Bai Class-I heir, therefore, she is entitled for 1/3 share of the deceased Dekraj Singh by virtue of Section 8 of the Act, against which this Civil Revision has been preferred.

3. After hearing learned counsel for the applicants and taking view that the petitioners as well as respondent No.5 are Class-I heirs and they are entitled for the share of the deceased Dekraj Singh under Section 8 of the Act, I do not find any jurisdictional error committed by the courts below in the impugned order. The revision deserves to be and is hereby dismissed.

Sd/-

(Sanjay K. Agrawal)

JUDGE