

HIGH COURT OF CHHATTISGARH, BILASPUR

CRA No. 31 of 2011

Mahadeo Das, S/o- Chhedi Das, Aged about- 55 years, R/o-
Village Pipra, Police Station & Tahsil- Navagarh, District-
Janjgir-Champa (C.G.) **---- Appellant**

Versus

State of Chhattisgarh, Through- Station House Officer, Police
Station- Navagarh, District- Janjgir-Champa (C.G.) **---- Respondent**

For Appellant : Mr. H.V. Sharma, Advocate
For Respondent/State : Mr. Aman Kesharwani, P.L.

Hon'ble Shri Justice Ram Prasanna Sharma

Judgment On Board

21/10/2019

1. This appeal is preferred under Section 454 of Code of Criminal Procedure, 1973, against order dated 8th November, 2010 (regarding disposal of property) passed by Sessions Judge, Janjgir-Champa (C.G.) in Session Case No. 93/2010 wherein the said Court directed that application for grant of succession certificate should be filed within one year time to acquire the property, which is seized in this case and if no application is filed within a year then the property shall be vested in State Government.
2. Admittedly, the property belongs to the deceased Narayan @ Gopal and Fulbai W/o- Narayan Rathore, both were died having no successor. The Trial Court directed that an application for grant of succession certificate be filed within a year time otherwise property shall be vested in the State Government. As per the appellant, he filed an application for grant of succession certificate before the Civil Judge, Class-I,

Janjgir-Champa (C.G.) and the case has been registered as Succession Case No. 26/2010.

3. Considering the facts and circumstances of the case, it is made clear that 1 year period for grant of succession certificate as directed by the Trial Court shall not come in the way of legal proceeding for any application filed for grant of succession certificate and it may be filed beyond one year time.
4. With this above observation, the appeal stands disposed of.

Sd/-
(Ram Prasanna Sharma)
Judge