

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***T. & I. J.*****CHAMBER SUMMONS NO. 38 OF 2017****IN****TESTAMENTARY SUIT NO. 207 OF 2015****IN****TESTAMENTARY PETITION NO. 1766 OF 2014****Devdatta Ravji Rane****..... Applicant/
Org.Defendant****IN THE MATTER BETWEEN****Ravji Dattaram Rane****..... Deceased****Smt.Mrunal Sudhir Pawar****..... Petitioner****VERSUS****Devdatta Ravji Rane****..... Defendant****AND****The Branch Manger,
Jankalyan Sahakari Bank****..... Respondent**

Ms.Sunita Khamkar for the Applicant.

Mr.Vasant Amberkar for the Respondent.

Mr.Omkar Warange for the Jankalyan Sahakari Bank.

CORAM : R.D. DHANUKA, J.**DATE : 28th JUNE, 2017****P.C.**

By this chamber summons, the applicant seeks an order and direction against the respondent to preserve various documents described in prayer clause (a) of the chamber summons.

2. The respondent bank has filed an affidavit dated 28th June, 2017 disclosing the documents which are found in its record in paragraph (3) of the said affidavit. It is stated that save and except those documents described in paragraph (3) of the affidavit, no other documents are available with the respondent in its record.

3. In paragraph (4) of the affidavit, it is stated that as bank the respondent is required to maintain the documents in respect of the account and other related documents in its record. The respondent has made a statement that it would maintain those documents and would produce the same as and when are called for by this court. The statements made by the respondent in this affidavit dated 28th June, 2017 and more particularly paragraph (5) are accepted as and by way of undertaking to this court.

4. In view of the affidavit filed by the respondent, the grievance of the applicant is met with.

5. Chamber summons is disposed of in the aforesaid terms. No order as to costs.

(R.D.DHANUKA, J.)