

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

JUDGES ORDER NO. 74 OF 2017

TESTAMENTARY PETITION NO. 50 OF 2016

Dinyar Kolaji Sidhwa	]	Deceased
Cyrus Peshotan Dastoor & Anr.	]	Petitioners
.....		
Mr. M.P. Narayanswamy, i/b Shroff & Co, for petitioners.		
.....		

CORAM : R.G. KETKAR, J.

DATE : 11TH SEPTEMBER, 2017.

P.C.:

Heard Mr. Narayanswamy, learned Counsel for petitioners at length.

2. Mr. Narayanswamy has taken me through the affidavit dated 17th July, 2017 made by petitioner No.1 Cyrus Dastoor. He submitted that in Schedule No.1 of Item No.4, petitioners have disclosed as one of the assets Locker No. 134 standing in the name of Dinyar Kolaji Sidhwa [for short 'deceased'] with State Bank of India, Agiary Cross Lane, Mazda Complex, Jambli Naka, Thane (W). He has also invited my attention to the letter dated 22nd May, 2017 from State Bank of India confirming existence of Locker No. 134 in the name of the deceased. He submitted that petitioner No.1 is nephew of the deceased and as such he is her heir and legal representative of the deceased. Petitioners desire to make

inventory of the said locker. Key of the said locker is available with petitioner No.1. He, therefore, prayed for permission to open the locker in the presence of Officer in-charge of the said Bank, Officer of this Court, petitioner's Advocate and authorized valuer who will value the contents therein and keep the articles back in the said locker.

3. In view thereof, petitioners are permitted to open locker in the presence Officer in-charge of the said Bank, Officer of this Court, petitioner's Advocate and authorized valuer. Petitioners shall keep the articles back in the locker. Judges order is separately signed.

[R.G. KETKAR, J.]