

Shailaja

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

JUDGES ORDER NO. 78 OF 2017

TESTAMENTARY PETITION NO. 1658 OF 2016

Devchand Damjibhai Nathwani] Deceased

Rakesh Damjibhai Nathwani] Petitioner

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Mr. B.G. Saraf, for petitioner.

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CORAM : R.G. KETKAR, J.

DATE : 11TH SEPTEMBER, 2017.

P.C.:

Heard Mr. B.G. Saraf, learned Counsel for petitioner at length.

2. Mr. Saraf has taken me through the affidavit dated 13th June, 2017 made by petitioner Rakesh Damjibhai Nathwani. He submitted that in Schedule No.1, petitioner has disclosed as one of the assets Locker No. 0125B00502 standing in the name of Devchand Damjibhai Nathwani [for short 'deceased'] with Canara Bank, S.V. Road, Dahisar [East], Mumbai. He submitted that petitioner is brother of the deceased and as such he is a Class-I legal heir of the deceased as per Hindu Succession Act, 1956. Petitioner desires to make inventory of the said locker. 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, petitioner is permitted to open locker in the presence of Officer in-charge of the said Bank, Officer of this Court, petitioner's Advocate and authorized valuer. Petitioner shall keep the articles back in the locker. Judges order is separately signed.

[R.G. KETKAR, J.]