

Vidya Amin

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 1146 OF 2021

Mrs. Iva Omprakash Chopra ... Petitioner
VS.
Axis Bank Ltd. & Anr. ... Respondents

Mr. Arijit Bardhan a/w. Sarosij Dasgupta, B.D. Dube, Nishtha Malik,
Sonali Kachar and Bijal Soni for petitioner.
Mr. Vivek Sawant for respondent no. 1.
Mr. Himanshu Takke, AGP for the State.

**CORAM :- DIPANKAR DATTA, CJ &
G. S. KULKARNI, J.**

DATE :- SEPTEMBER 21, 2021

PC :-

1. It is submitted by Mr. Sawant, learned advocate representing the respondent-bank, that the application made by the petitioner in appropriate form seeking release of the amount standing to the credit of the deceased account holder, as his nominee, is under process. It has also been brought to our notice by Mr. Sawant that the son and daughters of the deceased account holder have made representations to the respondent-bank urging it not to pay the maturity proceeds of the Fixed Deposits to anyone and not to allow encashment of the Fixed Deposits.

2. This writ petition cannot be converted into a proceeding for deciding rights relating to succession of the deceased account-holder. The respondent-bank is free to decide the application of the

petitioner in accordance with law. Let an appropriate order be passed on the application filed by the petitioner as early as possible but not later than three weeks from date of receipt of a copy of this order.

3. Any party aggrieved by such order that the respondent-bank passes pursuant to this order may pursue proceedings before the appropriate forum in accordance with law. All contentions are kept open.

4. The writ petition stands disposed of. No costs.

(G. S. KULKARNI, J.)

(CHIEF JUSTICE)