

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
 TESTAMENTARY AND INTESTATE JURISDICTION
 INTERIM APPLICATION NO.1324 OF 2024
 IN
 TESTAMENTARY PETITION NO.1578 OF 2019

Arunadevi Krishna Hegde	...	Applicant
In the matter between:		
Arunadevi Krishna Hegde	...	Petitioner
Vs.		
The Chief Manager, Punjab National Bank	...	Respondent
and		
Sunita Narayan Patade	...	Deceased

Mr. Prabhu Velar i/b. Mr. Manoj Mane for Applicant.

CORAM : MANISH PITALE, J.
DATE : MAY 03, 2024

P.C. :

- . Heard learned counsel for the applicant (original petitioner).
2. In this petition, this Court granted letters of administration on 20.07.2021 in respect of the property and credits of the deceased i.e. Sunita Narayan Patade. On the basis of the aforesaid letters of administration, the applicant approached respondent - Punjab National Bank for access to two bank accounts and also movable assets found in a locker lying in the name of the deceased. By a judge's order, the locker was opened and an inventory of the contents was prepared.
3. In this context, the learned counsel for the applicant invites attention of this Court to the Schedule of assets annexed to the grant. He submits that the two bank accounts, concerning the respondent bank, are at Sr. Nos.2 and 3 of the said list. It is further submitted that the items at Sr. Nos.10 to 29 concern the contents of the locker in the said bank, which was opened and then inventory of the contents was prepared on the basis of the judge's order issued by this Court.

4. It is submitted that despite the aforesaid material placed before the respondent bank, by a letter dated 05.04.2023 placed at exhibit-B to the present application, the respondent bank has insisted upon submission of the succession certificate for settlement of all the claims pertaining to the deceased. In response to the said letter, on 07.06.2023, the applicant through her advocate relied upon the aforesaid grant of letters of administration with the list of assets. It is submitted that despite the aforesaid letter dated 07.06.2023 written to the respondent bank, the said bank has not responded positively.

5. An affidavit of service dated 16.10.2023 is placed on record, showing that the respondent bank was served on 09.10.2023. Despite service, there is no representation on behalf of the respondent bank.

6. This Court is of the opinion that when letters of administration has been granted in favour of the applicant and the list of assets annexed to the grant specifically includes the two bank accounts in the respondent bank and the contents of the locker in the bank, there is no reason why the respondent bank should insist upon the applicant producing the succession certificate to settle the outstanding dues and other matters pertaining to the deceased, concerning the said bank.

7. In view of the above, the application is allowed in terms of prayer clause (a), which reads as follows:-

“(a) That this Hon'ble Court be pleased to direct the Respondent Bank to accept and act as per the Grant of Letters of Administration dated 20/07/2021 issued by this Hon'ble Court in favour of the Applicant in respect of the property and credit of Sunita Narayan Patade, the deceased abovenamed.”

8. The respondent bank is directed to act upon the order passed today expeditiously.

(MANISH PITALE, J.)