

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

INTERIM APPLICATION NO. 3782 OF 2024

IN

TESTAMENTARY SUIT NO. 67 OF 2020

IN

TESTAMENTARY PETITION NO. 3155 OF 2019

Sanjay Ram Hiingorani ...Applicant

IN THE MATTER BETWEEN

Sanjay Ram Hiingorani ...Petitioner

Versus

Pushpa Gursahani ...Defendant

And

HDFC Bank ...Respondent

SHEPHALI
SANJAY
MORMARE

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SHEPHALI SANJAY
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Date: 2025.02.13
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Mr Ernest Tuscano, with Mark Dbritto, i/b Ani D'Souza, for the
Applicant/Petitioner.

Mr Vikrant Parshurami, i/b Rajiv Mane, for the Defendant.

CORAM: ARIF S. DOCTOR, J

DATED: 12TH FEBRUARY 2025

PC:-

1. Learned Counsel appearing on behalf of the Defendant submits that the Interim Application has not been served upon his client. The same was served in Court today.

2. After perusing the Interim Application, Learned Counsel submits that his clients does not seek to file an Affidavit in Reply given that the only prayer in the Interim Application is to permit the Respondent Bank to transfer the funds from the deceased bank account for the purposes of payment to Income Tax liability of the asset of late Jiwan Prakash Thakurdas Hingorani.

3. Having perused the Interim Application and the averments made therein, I deem it fit to allow the Interim Application in terms of prayer clause (b), which reads thus:

“(b) In the alternative to prayer clause (a), this Hon'ble Court be pleased to direct Respondent Bank to make payment of Income Tax liability of the Estate of Late Jiwanprakash Hingorani having PAN No. AABAE6310R (being Self-Assessed Tax) for an amount of Rs. 59,70,881/- from the Savings Bank Account No. 00191000051532 held with the Respondent Bank.”

(ARIF S. DOCTOR, J)