

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION

INTERIM APPLICATION NO.4353 OF 2025
IN
TESTAMENTARY PETITION NO.190 OF 2009

Rajendra A. Yadav	..	Applicant.
In the matter between Shivraj A. Gupta	..	Deceased
Rajendra A.Yadav and Bank of Baroda & Another	..	Petitioner Respondents.

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Adv. Khushnood Akhtar i/b. Shivaji Nirmale, for the Applicant.
Adv. Sanjay Upadhyay i/b. K. D. Shukla & Co., for Respondent No.1.

CORAM: FIRDOSH P POONIWALLA,J.
DATE : 18th NOVEMBER, 2025.

P. C:-

1 This Interim Application has been filed seeking the following
reliefs:-

“(a) Delay of 50 days in filing the present Interim Application may kindly be condoned and the present Interim Application may be heard on its own merits in the interest of justice.

(b) The Application for amendment may be allowed.

(c) That this Hon'ble Court may be pleased to allow the Applicant to carry out amendment in the Testamentary Petition No. 190 of 2009 as per Schedule.

(d) That this Hon'ble Court may be pleased to direct the concerned department to issue amended Grant in the present Petition.

(e) That this Hon'ble Court may be pleased to direct the PTC Industries to disclose the details and handover to the Applicant the shares standing in the name of the deceased.

(f) That this Hon'ble Court may be pleased to appoint Court Commissioner for carrying out inventory of Locker No.A-98 with Bank of Baroda (erstwhile Dena Bank has merged into Bank of Baroda) standing in the name of deceased by breaking open the locker.

(g) That this Hon'ble Court may be pleased to direct the Respondent Bank of Baroda to pay damages to the tune of Rs. 10,00,000/- to the Applicant.

h) That this Hon'ble Court may be pleased to direct Respondent No. 2 i.e. Canara Bank, Kurla West Branch to allow the Applicant to have access to account No.0208101034162 standing in the name of deceased Shivraj Ambaprasad Gupta.

(i) Any such other and further reliefs be granted as this Hon'ble Court may deem fit and proper.”

2 I have perused the Interim Application. For the reasons stated in the Interim Application, the delay of 50 days in filing the present Interim Application is required to be condoned and the Applicant is also required to be allowed to carry out the amendment as per the Schedule annexed to the Interim Application at page 39.

3 Further, a Court Commissioner is required to be appointed for carrying out inventory of Locker No.A-98 with Bank of Baroda (erstwhile Dena Bank has merged into Bank of Baroda) standing in the name of deceased by breaking open the locker. The Locker No.A 98 is with the Bank of Baroda, Kurla (West) Branch. The cost of the

Commissioner will be borne by the Applicants.

4 In these circumstances, the Interim Application is allowed in terms of prayer clauses (a), (b),(c), (d) and (f).

5 The Interim Application is disposed of. No order as to costs.

(FIRDOSH P. POONIWALLA,J.)