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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 18017/2024 and CM APPL.76607/2024

HARDIP SINGH & ANR.Petitioners

Through: Mr. K. V. Bharathi, Advocates.

versus

PUNJAB AND SINDH BANK & ORS.Respondents

Through: Mr. Sumit, Advocate for R3.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

28.03.2025

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1. The petitioners i.e. Mr. Hardip Singh and Mr. Sarabjit Singh are the legal heirs and the successors of late Sh. Kartar Singh and late Ms. Harbhajan Kaur who held certain fixed deposits receipts (FDRs) and securities in respondent no. 1/Punjab & Sindh Bank and post certificates in respondent no.2/Post Office, Pocket-H, Sarita Vihar, Delhi.
2. It is submitted that late Sh. Kartar Singh and late Ms. Harbhajan Kaur left behind three legal heirs i.e. petitioners and respondent no.3. It is submitted that the petitioners and the respondent no.3 are the only legal heirs and successors of late Sh. Kartar Singh and late Ms. Harbhajan Kaur who passed away on 02.07.2021 and 15.07.2021 respectively.
3. The petitioners, vide order dated 19.09.2023, were granted a succession certificate by the Administrative Civil Judge- Commercial Civil Judge-Additional Rent Controller (South-East), Saket Courts, New Delhi in case no. SC No. 193/21. The said judgment, *inter alia*, records as under:-

“17. In view of the above discussion, it is hereby ordered that succession certificate be issued in favour of petitioner no.1 Sh. Hardip Singh, petitioner no.2 Sh. Sarabjit Singh & respondent no.4 Sh. Kanwal Pal



Singh having 1/3rd share each for the debts and securities of Late Sh. Kartar Singh and Late Ms. Harbhajan Kaur which are as follows:

<i>S. no.</i>	<i>Name of the account holder</i>	<i>Bank Name</i>	<i>Account No.</i>	<i>Amount</i>
1	Late Sh. Kartar Singh	Post Office, Sartia Vihar, Pocket H, New Delhi-76	1759713036	Rs.53,041.79/-
2	Late Sh. Kartar Singh and Late Ms Harbhajan Kaur	Punjab & Sind Bank, Sarita Vihar, New Delhi	03361400054573 03361400056609 03361400056670 03361400056787 03361400056885 03361400056634 03361000049020	Rs.8,63,786/- Rs.19,00,584/- Rs.2,30,872/- Rs.2,39,294/- Rs.6,96,664/- Rs.19,17,019/- Rs.11,283.41/-
3	Late Sh. Kartar Singh	Punjab & Sind Bank, Sarita Vihar, New Delhi	03361000005547	Rs.2,84,009.19/-
	Total Amount			Rs.61,96,553.39/-

18. The succession certificate shall be considered only as an entitlement of the petitioners and respondent no.4 to receive the amount (with applicable interest till date, if any) due towards Late Sh. Kartar Singh and Late Ms. Harbhajan Kaur as referred above. The succession certificate shall not be considered as a direction to concerned bank/official to transfer the aforesaid amount to petitioner. The concerned bank/official shall be competent to seek compliance of formalities, if any, to be fulfilled for the said purpose.”

4. During the course of proceedings, the petitioners as also the respondent no.3 jointly request that the requisite amount be directed to be released in a ratio of 1/3rd to each surviving legal heir i.e. 1/3rd to Mr. Hardip Singh, 1/3rd to Mr. Sarabjit Singh and 1/3rd to Mr. Kanwal Pal Singh.

5. Considering the facts and circumstances, the respondent no.1 and respondent no.2 are directed to release the amount to the petitioners and to the respondent no. 3, in the aforesaid ratio, subject to compliance with the



requisite formalities / documentation that may be required for the said purpose.

6. It is agreed that petitioners and the respondent no.3 shall cooperate with each other and if necessary, appear together before the concerned bank/post office for the purpose of release of the amount. The requisite joint affidavit/s and/or other documents, as may be required, shall also be duly executed by the petitioners and the respondent no.3. The said statement is taken on record.

7. The present petition is, accordingly, disposed of in the above terms. Let the needful be done by the respondent nos.1 and 2 expeditiously and preferably within a period of 8 weeks from today.

8. Pending application/s also stands disposed of.

SACHIN DATTA, J

MARCH 28, 2025/at