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

+ TEST.CAS. 74/2025

SHAMA JASWAL & ORS.

.....Petitioners

Through: Mr. Vaibhav Gulia, Adv. (Through
VC)

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Ms. Sweety Sood, Adv. for SBI
(Through VC)
Mr. Anushav Gupta, PC (Civil) and
Mr. Siddharth Arora, Adv. for R-1

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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27.02.2026

1. The present petition had been filed under Section 278 of the Indian Succession Act, 1925 ("Succession Act"), seeking grant of Letters of Administration, in respect of *Locker No. 150*, situated at State Bank of India, Jwalaheri Branch, Paschim Vihar, Delhi-110063, belonging to Late Smt. C.K. Jagota (deceased mother of the petitioner).
2. There was a prayer for appointment of a Local Commissioner ("LC") for opening of the locker and inventorying its contents.
3. Accordingly, the LC was appointed by this Court *vide* order dated 06th November, 2025 to visit the premises of respondent no. 2-Bank for opening the locker and for inventorying the contents therein.
4. The Report of the LC dated 09th February, 2026 has been filed, which



is reproduced as under:

**REPORT OF THE LOCAL COMMISSIONER IN TERMS OF
THE ORDER DATED 06.11.2025 AND 27.01.2026**

TO

THE HON'BLE CHIEF JUSTICE AND HIS COMPANION
HON'BLE JUSTICES OF THE HON'BLE HIGH COURT

MOST RESPECTFULLY SHOWETH:

1. That the undersigned was appointed as Local Commissioner in the above captioned matter vide order dated 06.11.2025 passed by the Hon'ble Court wherein necessary directions have been passed for conducting the Commission work at the premises of Respondent No.2/ State Bank of India, Jwalaheeri Branch, Pashchim Vihar, New Delhi-110063. The undersigned has been appointed as the Local Commissioner to visit the premises of Respondent No.2/Bank for opening the locker and inventorying the contents thereof.
2. That pursuant to the aforesaid order of the Hon'ble Court, the undersigned in consultation with the counsel for the Petitioner on 26.01.2026, fixed the timings with regard to the execution of the Commission. The undersigned went to the premises of the Respondent



No 2 Bank/State Bank of India to execute the Commission on 27.01.2026 with the assistance of the counsel for the Petitioner but the Commission was failed to execute as the Bank was shut down due to the Bank's strike all over India which resulted in non-execution of the Commission on 26.01.2026 as was directed by the Hon'ble High Court of Delhi in Test Case No. 74/2026.

3. That the Hon'ble High Court of Delhi vide Order dated 06.11.2025 in TEST. CAS. 74/2025 appointed the undersigned as the Local Commissioner to visit the premises of Respondent No.2/State Bank of India, Jwalaheri Branch, Paschim Vihar for opening the locker and inventorying the contents thereof. In order to execute the Local Commission, I along with Mr. Vaibhav Gulia Adv, counsel for the Petitioner and Ms. Shama Jaswal, Petitioner in person with her daughter reached the premises i.e State Bank of India, Jwalaheri Branch, Paschim Vihar at 11:30 am on 27.01.2026 to carry out the execution of Local Commission in terms of the Order dated 06.11.2025 passed by the Hon'ble High Court of Delhi in TES CAS No. 74 of 2025. After reaching the said premises, we saw that the Bank's shutter was shut down and we were informed by the Guard (Sumit Kumar) of the SBI ATM which was adjacent to the State Bank of India, that the Bank is closed as the Bank is on strike all over India, to which Petitioner was not aware of neither was the Petitioner's



counsel nor was I aware of it. Hence, the Local Commission could not be executed.

4. That it is submitted that no one for the Respondent reached the premises on 27.01.2026 pursuant to the Order dated 06.11.2025 in Test Case No 74/2025 passed by the Hon'ble High Court of Delhi. It is further submitted that only the guard was present with 2 other employees of the Bank who were standing outside the Bank.
5. That the undersigned prepared the said on spot proceedings at 12 pm on 27.01.2026 stating that the Local Commission could not be executed due to the Bank was shut down as the Bank was on strike all over India. Soft copy of the same is given to the counsel/Representatives of the Petitioner who were present which was obtained in the "On Spot Proceeding". The original copy of "On spot Proceedings dated 27.01.2026 along with its typed copy is annexed herewith as **Annexure-I**.
6. That vide Order dated 27.01.2026, the Hon'ble High Court directed to facilitate the execution of the Local Commission on 28.01.2026 upon urgent mentioning by the Learned Counsel for the Petitioner on the same day in terms of the Order dated 06.11.2025 passed by the Hon'ble High Court of Delhi in Test Case No. 74/2025.



7. That the undersigned pursuant to the Order dated 27.01.2026 by the Hon'ble High Court alongwith Mr. Vaibhav Gulia, counsel for the Petitioner and Ms. Shama Jaswal, Petitioner in person with her daughter reached the premises, that is, SBI Bank, Branch Jwalaheri, Paschim Vihar at about 10:15 am and went to the Manager of the Bank/Respondent No.2, Mr. Nishant Kumar. The undersigned met Mr. Nishant Kumar, the Manager who was sitting in his office and apprised him about the purpose of the visit. The undersigned showed him the Order dated 28.01.2026 and 06.11.2025 passed by the Hon'ble High Court of Delhi in Tes Case No. 74 of 2025. Thereafter, Mr. Nishant Kumar verified the particulars like the ID of the undersigned and further proceeded towards the execution of Commission.
8. That the undersigned along with the counsel of the Petitioner and Petitioner in person and the representative of the Respondent No.2 Bank, i.e the Manager of the Bank proceeded towards the Locker Room of the Respondent Bank which was placed on the different floor. After reaching the other floor where the Locker Room was placed, Mr. Nishant Kumar, the Manager went through the Bank Register to check the details of the Locker No. Of the Petitioner. After going through the Bank's Register, it was known that the Locker's No. was 150 which belonged to the Deceased. Miss Chandra Kanta Jagota who is Petitioner's deceased mother.



9. That the undersigned along with the Petitioner's counsel, Petitioner in person, her daughter and Mr. Nishant Kumar, representative of the Respondent Bank entered the Locker Room at around 10:25 am. At first, the Locker No. 35 was tried to unlock with one key which belonged to the manager and the other key which belonged to the Petitioner, but that locker did not unlock. Thereafter, Locker No. 150 was unlocked, first by applying the keys that Manager had and then the Petitioner applied the keys that belonged to her in the lock, which eventually made the locker open. After the locker was duly opened with the help of both the keys, one with the Manager and other with the Petitioner, it was found that the locker was entirely empty. That the locker No. 150 was then duly locked only with the keys that belonged to the Petitioner.
10. That the Manager of the Bank, Mr. Nishant Kumar then informed that dues of the locker are pending for the past 3 years, that is, from 2023-2025 of the years 2023, 2024 and 2025 which totals upto Rs. 7,080 and thereafter upon knowing, Petitioner duly paid the sum to the Bank. And thereafter, the keys that were with the Petitioner were handed over to the Manager, Mr. Nishant Kumar.
11. That the undersigned concluded the commission at around 11 am on 28.01.2026 and prepared the On-spot proceedings which was duly read by the representatives of the Petitioner and the Respondent.



That the undersigned has given a copy of the "On Spot Proceedings" dated 28.01.2026 to the Counsel of the Petitioner, Petitioner in person and to Representative of the State Bank of India, Jwalaheri Branch, i.e Mr. Nishant Kumar. The original copy of "On Spot Proceedings" dated 28.01.2026 along with its typed copy is annexed herewith as **Annexure-II**.

12. That it is also submitted that the proceedings of the commission of work was also videographed in the presence of the Representatives of the parties. The said Video Recording is annexed in a pen drive as **Annexure-III**.
13. That the undersigned finally concluded the proceedings at around 11:20am on 28.02.2026 in the presence of Counsels/Representatives of both the parties.
14. The Report is submitted accordingly Petitioner's

Representatives

- i) Mr. Vaibhav Gulia Adv for the Petitioner
- ii) Ms Shama Jaswal, Petitioner in Person

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5. As per the aforesaid Report of the LC, *Locker No. 150*, belonging to Late Smt. C.K. Jagota, was duly opened. Further, the said Locker was found to be completely empty. Additionally, the pending dues of Rs. 7,080/- were also paid by the petitioners towards the said locker.

6. At this stage, this Court notes that the prayer in the present petition is as follows:



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- i. Grant Letters of Administration with respect to the Locker No. 150 situated at State Bank of India, Jwalaheer Branch, Paschim Vihar, Delhi- 110063 belonging to Late Smt. C.K. Jagota in favour of Petitioner No.1;

xxx xxx xxx”

7. In view of the fact that the Locker in question already stands opened and the contents thereof has been seen by the petitioners, which has been found to be empty, no further orders are required to be passed in the present petition.
8. The present petition is accordingly disposed of.

MINI PUSHKARNA, J

FEBRUARY 27, 2026/KR