

16 Succ. Court 267/22

REENA ASTHANA KHAIR Vs. STATE

19.08.2023

Present: Ms. Praveena Gautam & Ms. Akansha Tyagi, Ld. counsels for the petitioner along with petitioner.
Sh. Aishwarya Pandey, Branch Head, Kotak Mahindra Bank, Branch, Defence Colony.
Ms. Pooja Singh, proxy counsel for respondent no.2 & 3.
Respondent no.2 (appearing through VC).

Matter is listed for consideration.

Respondent no. 2 has appeared through VC and has been identified by the petitioner and his counsel. She submits that she has no objection if the succession certificate is issued in the name of petitioner i.e. her sister. Respondent no. 2 seeks exemption from physical appearance as she is currently out of India. She further submits that her “no objection” has already been filed by the petitioner. Same is today exhibited as **Ex.X-1**.

Vide separate statement of petitioner, relief qua Kotak Mahindra Bank are dropped. Witness from Kotak Mahindra is discharged unexamined. Diet money paid.

Summons issued upon ICICI Bank received back served. However, no one has appeared despite repeated calls.

Issue notice U/o 16 Rule 12 CPC upon the Bank Manager of ICICI Bank to explain why action should not be taken for not appearing.

Issue fresh summons upon the postal department on filing of address and PF/RC within a week for NDOH. Dasti summons be given as prayed for.

Put up for purpose fixed on **07.10.2023**.

Copy of this order be given Dasti, as prayed for.

(DEEPAK VATS)

ACJ-cum-CCJ-cum-ARC (South - East)

Saket Courts, New Delhi/19.08.2023sek