

Civil M.A. No.66/2023.
Sushila Kachare Vs. Sharda @
Savita Desai Patil.
(CNR No.-MHST05-000438-2023)

COMMON ORDER BELOW EXH. 8, 44 AND EXH.49.

1. This application below Exh.8 is filed by petitioner contending that, her real brother barrister Pandurang Krishnaji Patil in his life time had kept some amount in fix deposits in defendant No.7 to 12 banks. Said Pandurang Patil has expired on 1/12/2022. He was bachelor and as such the applicant and the respondent No.1 were his near heirs. The respondent No.1 after demise of said Pandurang by giving false information has withdrawn some of the deposits kept in defendant No.7 to 12 banks. The respondent No.1 to 3 and 7 to 12 have withheld the above information from the petitioner. When the petitioner came to know this fact she by sending notice demanded the information in respect of withdrawn deposit amounts as well as pending deposit amounts in defendant No.7 to 12 banks of deceased Pandurang Krishnaji Patil. In spite of said notice the above respondents have failed to furnish the requisite information to the petitioner. As such by way of this application the petitioner is praying that the respondent No.1 to 3 and 7 to 12 be ordered to furnish information in respect of bank deposits of deceased Pandurang and the respondent No.7 to 12 i.e. banks be ordered to furnish information in respect of how much

amount is already given to the respondent No.1 to 3 kept in fix deposits by the Pandurang, his fix deposit receipts and account extracts. Whereas, application below Exh.44 is also in respect of prayer that the defendant No.7 to 12 banks be ordered to furnish requisite information as per application below Exh.8. Application Exh.49 is filed by the petitioner for ordering the respondent No.7 bank to furnish requisite information as per application Exh.8.

2. The respondent No.7 has filed say to application below Exh.8 on Exh.48 and contended that the requisite information is personal and as such cannot be furnished. Whereas, respondent No.1 to 3 have filed their say below Exh.45 and contended that they have not withdrawn any amount from the account of deceased Pandurang and they do not have any information in respect of bank deposits of deceased Pandurang. As such they have prayed to reject the application. Whereas defendant No.8 to 12 have failed to file say on the application.

3. Now, present is petition filed by petitioner under Section 372 of Indian Succession Act for issuance of succession certificate. As such for this application applicant requires information in respect of pending fix deposits in defendant No.7 to 12 banks. It seems that inspite of her request the said information is not furnished by the respondent banks. As such the respondent No.7 to 12 banks are hereby ordered to furnish the account extract of deceased Pandurang Krishnaji Patil and

also the information in respect of bank deposits disbursed in favour of respondent No.1 to 3 and also which are standing in the name of deceased Pandurnag Krishnaji Patil.

Date:- 25/10/2023.

Place:-Karad.

(Smt.S.Y.Deshmukh)

2nd Jt. Civil Judge, Sr.Division, Karad.