

Succ Court No. 128/2024
Ankit Kumar & Anr. v. State & Ors.

10.09.2024

Fresh Succession Petition has been received by way of assignment. It be checked and registered.

Present: Ms. Jyoti, Ld. Counsel for the petitioner (through VC).

Sh. Pramod Prabhakar, Ld. Counsel for the petitioner with petitioner no. 1/Sh. Ankit Kumar.

Heard. Perused. Considered.

Issue notice of the petition to the general public by means of publication/citation in the Newspaper "Virat Vaibhav".

Further, issue notice of the petition to the near relatives of the deceased, if any, and respondents/witnesses alongwith relevant records for the next date of hearing on filing of PF and RC as well as through WhatsApp/e-mail/any other electronic modes. Publication charges be deposited within seven working days from today. A copy of the notice be also affixed on the notice board.

Perusal of the record reveals that an application u/s 151 CPC filed alongwith petition for restraining the respondents not to release funds to any other person.

Ld. Counsel has further submitted that his application u/s 151 CPC be treated as an application u/s 39 Rules 1 & 2 CPC.

Statement of Ld. Counsel for the petitioners is recorded separately.

Ld. Counsel for petitioners has submitted that petitioner no. 1 has an apprehension that father of the deceased

who is the nominee in the bank account of the deceased might be released the amount in his favour. Ld. Counsel for the petitioners has further submitted that deceased was also survived by one minor son aged about three years and petitioner no. 1 is looking after him being his father. Ld. Counsel for the petitioners has prayed that all the respondents be directed not to release the amount to any person.

Heard. Perused and Considered.

Considering the facts and circumstances of the case, respondents/Branch Manager, Axis Bank Ltd., Branch Delhi Police HQ, Jai Singh Road, New Delhi-11001 are hereby restrained not to release the amount/funds/death benefits pertaining to the deceased Late Smt. Sarita Kumari to any other person till further order.

Application u/s 39 Rules 1 & 2 CPC stands disposed of, accordingly.

Put up for report/appearance of the respondents on 11.12.2024.

Copy of this order be given dasti.

Anuradha Jindal
ACJ-CCJ-ARC/South West
Delhi:10.09.2024