

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION

TESTAMENTARY SUIT NO.48 OF 2023
IN
TESTAMENTARY PETITION NO.550 OF 2022

Geeta Mukesh Shah .. Plaintiff
Versus
Rashmi Mafatlal Choksi .. Respondent

WITH
TESTAMENTARY SUIT NO.50 OF 2023
IN
TESTAMENTARY PETITION NO.551 OF 2022

Geeta Mukesh Shah .. Petitioner
Versus
Rashmi Mafatlal Choksi .. Respondent

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• Mr. Jeyhaan Carnac, Advocate i/by Mulla and Mulla for Plaintiff.
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CORAM : MILIND N. JADHAV, J.
DATE : MAY 05, 2026

P.C.:

- 1.** Not on Board. Mentioned by way of filing praecipe dated 05.05.2026. Perused the praecipe.
- 2.** Heard Mr. Carnac, learned Advocate for Plaintiff.
- 3.** These Suits were on board on 04.05.2026 and the Court is in the process of marking documents as Exhibits in respect of above two Suit proceedings. Infact documents are being marked and in progress.
- 4.** While marking documents as Exhibits, Plaintiff has referred to and relied upon certain bank statements and passbooks of both

deceased which are required to be proved in evidence. The original passbook has been presented before the Court. However, Plaintiff is required to obtain appropriate certificate under the Bankers Book of Evidence Act from the Bank for the veracity of the passbook and the statement of account contained therein in accordance with law.

5. In that view of the matter, Mr. Carnac has persuaded me to pass appropriate directions to the concerned Bank namely Bank of Baroda, Cuffe Parade Branch and direct them to verify and sign the concerned passbooks and bank statements of the deceased which were maintained by the said Bank so that the same can be marked as Exhibits in evidence in accordance with law.

6. In that view of the matter, Mr. Carnac submits that the Plaintiff has made efforts to obtain a certificate under Section 2(a) of the Bankers Book of Evidence Act (for short '**the said Act**') from the Branch Manager, Cuffe Parade, Bank of Baroda with respect to certain Passbooks of Account No.06950100002293 held with the Bank of Baroda. In this regard the Advocate for Plaintiff has addressed letter date 05.05.2026 to the Bank. However the Branch Manager has denied the request of the Plaintiff and has sought a Court order.

7. In the above background, I direct the Branch Manager of Bank of Baroda, Cuffe Parade Branch to provide the necessary certificate under Section 2(a) of the said Act with respect to the Bank

Account Statement of Account No. 06950100002293 for the period between 06.04.2005 to 13.03.2006 and endorse the Passbooks for the period between 18.03.2006 to 28.06.2006; 30.06.2006 to 20.10.2006; 04.11.2005 to 28.06.2006 and 21.09.2004 to 25.01.2006 or stamp and sign and verify the above Passbooks and return the same to the Plaintiff which shall be presented by the Plaintiffs representative.

8. Alternatively the Bank of Baroda is directed to provide a stamped and signed copy of the Bank Statement of the said Account No. 06950100002293 for the period between 01.04.2004 to 01.01.2007 to the Plaintiff.

9. Bank of Baroda is directed to comply with this order on or before 07.05.2026 12:00 Noon so that the same can be placed before Court.

10. All concerned to act on a server copy of this order downloaded from the Bombay High Court website.

11. Stand over to **07th May 2026 at 05:00 p.m..**

12. Praecipe is disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

Digitally signed
by HARSHADA
HANUMANT
SAWANT
Date:
2026.05.05
19:33:22 +0530