



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY PETITION NO. 127 OF 1994

Adeline Rodrigues ... Administrator
vs.
Girish Nautmal Jani and Anr. ... Defendants

Ms. Adeline Rodrigues Administrator.

Mr. K. A. Suryanarayanan for Axis Bank.

Ms. Akanksha Patil i/b, Ms. Pushpa Thapa for Respondent no. 2.

CORAM : A.K. MENON, J.

DATED : 18th OCTOBER, 2019

P.C.

1. Pursuant to order dated 4th October, 2019 the learned counsel for Axis Bank submits that a total of Rs. 38,898.87 is available with them at the Byculla branch. It is made clear that although the learned counsel submits that an affidavit has been filed, since same is not on record, registry to place the affidavit on record.

2. Later: Mentioned at 5:00 pm by the Administrator. On 4th October, 2019 certain directions were issued to the Administrator. The request today is that Administrator may be permitted to serve copy of the order certified as true copy upon the companies listed in Annexure C to the report dated 1st October, 2019.



3. In the meantime, none appears for Shree Satkar Co-operative Credit Society. At this stage Administrator submits that she had received from one Mr. Kishore Jain, Chairman of the credit society who had expressed his willingness to remit the amount credited to the account of the Society by Axis Bank.

4. Accordingly, I pass the following order :

- (i) Report is allowed in terms of (H) and (I).
- (ii) Administrator shall serve notice on Shree Satkar Co-operative Credit Society intimating them that their representative / Chairman shall remain present on the next date failing which the Court may pass appropriate orders to secure their presence.
- (iii) Administrator may serve copies of the order downloaded from the website of this court and certify them as true copies for service upon the companies listed in Annexure C to the report dated 1st October, 2019.
- (iv) Axis Bank shall ensure that funds or deposits in accounts of the Credit Society in other branches are not allowed to be withdrawn. Credits alone shall be permitted. All fund shall be retained till further orders of the Court.



(v) Additional affidavit of the legal department or the Regional Manager of Axis Bank shall accordingly be filed to ensure compliance with paragraph 2 (iii) and 2(iv) of the order dated 4th October, 2019. Affidavit to be filed by 6th November, 2019.

(vi) In that view of the matter on **7th November, 2019**.

(A.K. MENONJ.)