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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO.1404 OF 2025

IN

SUIT (L) NO.23472 OF 2024

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Sunita Pradyuman Bhankharia

...Applicant /
Plaintiff

Versus

Amit Pradyuman Bhankharia & Ors.

...Defendants

Mr. Rohaan Cama, Mr. Shanay Shah, Mr. Shashwat Rai and Ms. Mrinali Dave i/b. Keystone Partners for the Plaintiff and Applicant in IA No.1404 of 2025 and for Defendant No.1 in SL/2494 of 2025.

Mr. M.A. Khan with Ms. Depti Mehta for Defendant Nos.1 and 2 in S No.59 of 2025 and Plaintiff in SL No.12494 of 2025.

Mr. Ramachandran Narayanan i/b. Narayanan and Narayanan for Defendant No.3 in Suit No.59 of 2025 and Defendant No.2 in SL/12494 of 2025.

CORAM : R.I. CHAGLA J.

DATE : 23RD JULY, 2025.

ORDER :

1. The Applicant / Plaintiff at this stage is pressing for grant of prayer Clauses (a)iv. viz. permitting the Plaintiff to operate Defendant No.1's Bank of Baroda savings Account i.e. Bank Account

No.04060100019050 held with Defendant No.5 – Bank of Baroda, where the Plaintiff is third account holder with Defendant No.1 as the first account holder. The purpose of operation of the Account is for the Plaintiff to withdraw the dividend which is transferred by Defendant No.1 in accordance with prayer Clause (m) (iii) of the Plaintiff and in order for her to meet her day to day expenses and to pay taxes, including the income tax due for FY 2021-2022 and onwards.

2. Mr. Rohaan Cama the learned Counsel appearing for the Plaintiff has referred to the Bank Statement dated 15th July, 2024 at Exhibit N to the Plaintiff. He has submitted that in the said Bank Statement the dividend amounts credited are reflected. The dividend has been issued by the Companies whose shares are standing in the name of the Plaintiff. He has also referred to the other annexures to the Plaintiff including letter dated 7th May, 2022 issued by the Plaintiff to the Bank Manager, Bank of Baroda, wherein reference is made to the conversation in a meeting and a letter dated 28th April, 2022 addressed by the Advocate for the Plaintiff where the facts have been set out. It is stated that the Bank Manager had confirmed at the meeting that there is debit freeze / dormant in savings account

bearing No. 04060100019050, especially issuance of cheques and withdrawal of monies from the said Savings Account.

3. Mr. Cama has referred to the documents showing that prior to the transfer to the said savings account, the Plaintiff was receiving the dividend in her account and paying tax thereon. Defendant No.1 was the second holder in the Plaintiff's Account. The Plaintiff now as the third holder in the said Savings Account is unable to access the same without the consent of Defendant No.1 and particularly after the debit freeze. He has submitted that it has also become virtually impossible for the Plaintiff to manage her financial affairs without having access to the said Savings Account, particularly for the receipt of the dividend and payment of taxes.

4. Considering the Bank Statement of the Defendant No.5 – Bank of Baroda annexed to the Plaint is dated 15th July, 2024, the Defendant No.5 – Bank of Baroda is directed to submit before this Court, the Bank Statements of the said Saving Account No.04060100019050 for FY 2021 till date reflecting the dividend amount which has been credited to the said Savings Account.

5. The Defendant No.5 – Bank of Baroda, through their Manager of Branch at 353, Dedhia Estate, Bhandarkar Road, Opp. Kalyan Jewelers, Flower Market, Matunga 400 019 shall remain present in this Court on the next date.

6. Notice of this Order shall be served on Defendant No.5 – Bank Manager, Bank of Baroda, by the Advocates for the Plaintiffs.

7. Place the Interim Application along with Interim Application (L) No.22263 of 2025 filed in Suit (L) No.12494 of 2025 on 8th August, 2025.

[R.I. CHAGLA J.]