

Ajay

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

INTERIM APPLICATION NO. 5619 OF 2025
IN
TESTAMENTARY PETITION (L) NO. 21044 OF 2024

Birendra Singh alias Birendra Uday Singh	.. Deceased
Digvijay Singh	Applicant / Orig. .. Petitioner
<u>IN THE MATTER BETWEEN</u>	
Digvijay Singh	.. Petitioner
Versus	
The Branch Manager, Bank of India	.. Proposed Respondent

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- Ms. Divya Tyagi, Advocate through VC for Applicant / Petitioner.
 - Ms. Shreyashi Panda, Advocate through VC for ICICI Bank.
 - Mr. Nilesh Modi a/w. Mr. Ashish Rebello, Pratishta Chari, Advocates i/by Rustamji and Ginwala for Intervenor.

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CORAM : MILIND N. JADHAV, J.
DATE : NOVEMBER 14, 2025.

P.C.:

1. Heard Ms. Tyagi, learned Advocate for Applicant / Petitioner; Ms. Panda, learned Advocate for ICICI Bank and Mr. Modi, learned Advocate for Intervenor.

2. Present Interim Application and Testamentary Petition shall be heard alongwith Interim Application No.5825 of 2025. The name of the deceased in the present case is Birendra Uday Singh. Petitioner before me is Digvijay Singh, who is the nephew of the deceased.

3. A companion Application is filed which is Interim Application No.5825 of 2025 filed by Brijraj Kumari, sister of the wife of the deceased. Mr. Modi appears and espouses the cause of this Applicant namely Brijraj Kumari. The premise of this Application is that the deceased Birendra Uday Singh had inherited the subject properties from his wife Narendra Kumari, who had infact inherited the properties through her father and mother. The *lis* before me therefore would be between Digvijay Singh and Brijraj Kumari arguing inheritance to the property and estate of the deceased under Section 15(2) of the Indian Succession Act, 1925 to the exclusion rather complete exclusion of the other.

4. I have impressed upon the learned Advocates appearing for the respective parties that pleadings shall be completed by them namely Affidavit-in-Reply and Affidavit-in-Rejoinder. Affidavit-in-Reply is directed to be filed within one week from today. Copy of the same shall be served on the other side in advance. Rejoinder, if any, be filed within one week thereafter.

5. List the present Interim Application, Testamentary Petition and Interim Application No.5825 of 2025 on the next adjourned date together on **28th November 2025**.

[MILIND N. JADHAV, J.]

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