

OD-16

IN THE HIGH COURT AT CALCUTTA
Testamentary and Intestate Jurisdiction
ORIGINAL SIDE

IA NO. GA/1/2025
In PLA/158/2015

IN THE GOODS OF: KOL INDRA BAHADUR KARKI, DECEASED

BEFORE:

The Hon'ble JUSTICE SUGATO MAJUMDAR

Date : 27th November, 2025.

Appearance:

Mr. B. Jha, Adv.

Ms. M. Mishra, Adv.

Mr. H.K. Jha, Adv.

...for the SBI.

Mr. P.K. Singh, Adv.

Mr. S. Ash, Adv.

...for the administrator.

The Court:- Learned Counsel appearing for the State Bank of India submitted that a copy of PLA application be served on the Bank. State Bank of India was directed to ascertain whether a specific number of shares belonged to the testator and whether still are in that name. Bank need not receive the copy of the PLA application where they have nothing to say. The bank shall submit a report, as called for on the returnable date.

The Learned Registrar, Original Side shall send a reminder to the other companies for compliance with the order.

Let the matter appear in the list for further order on 16th January, 2026.

It was repeatedly urged by the learned Counsel for the bank that the later is to decide on devolution of shares standing in the name of the testator and for that purpose copy of the P.L.A is needed.

The Bank may file caveat if they have caveatable interest but should not usurp the authority of this Court in deciding succession. A copy of this order may be sent to the concerned Branch Manager by the Learned Registrar, Original Side.

(SUGATO MAJUMDAR, J.)