

OD-9

ORDER SHEET

IA No.GA 1 of 2023

In

PLA 468 of 2022

IN THE HIGH COURT AT CALCUTTA
TESTAMENTARY & INTESTATE JURISDICTION
ORIGINAL SIDE

IN THE GOODS OF :
JAY SHANKAR LADIA, DECEASED

BEFORE:

The Hon'ble JUSTICE ARINDAM MUKHERJEE

Date: 18th July, 2023.

Ms. Nilanjana Adhya, Advocate for the petitioner.

The Court : This is an application by the executor who has filed the application for grant of probate being PLA 468 of 2022 to open the bank locker bearing no.B-56 at Andhra Bank, Ezra Street Branch, Kolkata, the particulars whereof are mentioned in the Will itself. It is submitted that Andhra Bank is now known as Union Bank of India and the Ezra Street Branch of Andhra Bank is now the Ezra Street Branch of Union Bank of India.

Considering the statements contained in the application, the executor is permitted to open the locker mentioned hereinabove in the presence of the Branch Manager of the branch in question. The date on which the locker will be opened shall be decided by the Branch Manager in consultation with the executor. On the date fixed the executor shall produce, if possible the key of the locker which had been made over to the testator. In the event the testator's set of the key for the locker is produced then with the key available at the branch the locker shall be opened,

otherwise the locker shall be broken for which all necessary expenses shall be borne by the executor. After the locker is opened, the articles, if any, lying thereat shall be inventorised in the presence of the executor and the Branch Manager. Two sets of inventory list shall be prepared which will be signed by the executor and the Branch Manager. One set will be retained by the bank while the other set will be made over to the executor. In the event the locker is required to be broken then at the cost and expenses of the executor a fresh locker will be arranged by the bank wherein the articles will be kept. After the inventory is complete, the articles, if any, lying inside the locker shall be valued by an empanelled Valuer of the bank. The valuation report will be prepared in three sets, one shall be made over to the executor, the other to the bank and the Valuer shall also retain a copy of the valuation report. After the inventory and valuation is complete, the locker or the new locker, as the case may be, after the articles are put in shall be again locked so that the same can be opened only after obtaining fresh direction from the Court.

So far as the prayer for amendment of the petition and the affidavit of assets, the same is not considered in this application. The executor will be at liberty to pray for amendment of the petition and the fixed assets once the inventory and valuation exercise is complete.

The application being GA 1 of 2023 is accordingly disposed of.

(ARINDAM MUKHERJEE, J.)