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# Either or Surviour Joint Account

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I have a either or surviour joint account with my father. Whom does the money belongs legally after the death of my father, its belongs to me(Surviour) completely or it belongs to all the legal hiers equally. Could anyone please clear on this with legal perspective.

Ayush Mishra

Points: **68**

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you may claim money from bank but money should be shared among all the legal heirs

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Deepak Joshi  
+917017821512

Advocate

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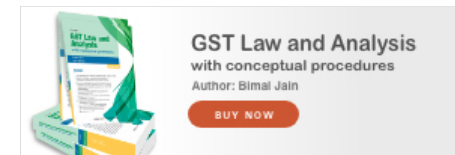
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Deepak Kishore the position you mentioned is if there is a Nomination in favour of queriest. But here he is joint account holder with either or survivor clause. Money belongs to him. He can very well continue the account deleting the deceased account holder.

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If legal heirs want to contest, they will have to approach Courts to get a restriction on further operations in the said account till matters are settled. It's a very long sh\*t that Courts give such restricting interim orders.

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sh\*t= shot

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Thanks for response so I can say the money belongs to me completely and I am not legally bound to share it amongs all until court orders anything to do so

Ayush Mishra

Points: 68

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G.L.N.  
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Retired  
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I have posted my opinion and unfortunately, it disappeared from the post.

A banker is not concerned with legal heir matters.

The relationship between Depositor and bank states that the money has to be paid either to any of them or survivor and his job is not of trustee to find legal heirs and adjudicate on the issue.

A banker is supposed to implement the mandate given to him and the payment is treated in due course if he follows the mandate unless he is restricted by any legally valid orders against such payment to the survivor.

Members cannot advise or judge on your claim is in order or not in claiming the entire money was yours and on that you need not legally bound to share it amongst legal heirs.

If the Banker pays you are legally entitled to receive that money as trustee and can keep it till there is a claim from legal heirs. Legal heirs can also challenge your entitlement. and proceed against you depending on merits of their case.

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Ayush Mishra  
▾

Points: 68

Thanks for response

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