§ 2217. When money or property may be retained

1. In any of the following cases the decree must direct that a sum sufficient to satisfy a debt or claim or the proportion to which it is entitled, together with the probable amount of the interest and costs, or that any personal property the right to which is in controversy, be retained in the hands of the accounting party or be deposited in a bank or trust company, subject to the order of the court, or be paid into the court for the purpose of being applied to the payment of the debt or claim or to the satisfaction of any judgment recovered and that so much thereof as is not needed for such purposes be afterwards distributed:

(a) Where an admitted debt of the decedent, ascertainable in amount, is not yet due and the creditor will not presently accept payment with a rebate of interest, or

(b) Where a claim for a debt, ascertainable in amount, but not yet due has been disputed or rejected, or

(c) Where an action is pending between the fiduciary and a person claiming to be a creditor of the decedent, or

(d) Where on the judicial settlement of the account of a trustee a controversy respecting the right of a party to share in the estate or other personal property held by the trustee has not been determined.

2. Upon the determination of the debt or claim or the right to the personal property any party may present a petition to the court praying for directions as to the disposition of the moneys or property retained.