

HIGH COURT OF TRIPURA
_A_G_A_R_T_A_L_A_
WP(C) No.41 of 2023

Smt. Archana Majumder Seal, wife of late Sreemat Chandra Seal resident of S.K. Basu Lane, Dhale, Agartala, District- West Tripura, Pin-799007.

.....Petitioner(s)

V E R S U S

1. UCO Bank represented by its Managing Director & Chief Executive Officer, Head Office, being 10 Biplabi Trailokya Maharaj Sarani (formerly known as Brabourne Road), Kolkata – 700001.

2. The Branch Manager, UCO Bank, Agartala Purbasha Branch, Laxmi Narayan Bari Road, opposite to Purbasha, Agartala, West Tripura, Pin-799007.

..... Respondent(s)

For Petitioner(s) : Mr. Raju Datta, Advocate.

For Respondent(s) : None.

HON'BLE THE CHIEF JUSTICE (ACTING)
_O_R_D_E_R_

18.01.2023

Heard Mr. Raju Datta, learned counsel appears for the petitioner. None appears for the counsel for the respondents-bank.

[2] The present petition has been filed by the petitioner under Section 226 of the Constitution of India directing the respondents to allow the petitioner to withdraw Rs.9,66,140/- from the Savings Bank A/C No.22750100000858 of late Sreemat Chandra Seal i.e. deceased husband of the petitioner and also for directing the respondents to withdraw

Rs.94,182/- from Joint Savings Bank A/C No.22750100002414 of joint holders late Sreemat Chandra seal and also directing the respondents to release Rs.1,03,733/- along with interest in favour of the petitioner in respect of Fixed Deposit vide No.269984 dated 07.08.2012 under the Kuber Yojana Deposit Scheme which was issued in favour of late Sreemat Chandra Seal i.e. deceased husband of the petitioner.

[3] Brief facts are as under :

The petitioner is the widow of deceased Sreemat Chandra Seal. Upon the death of her husband the petitioner being the legitimate wife of the deceased was the only survivor in the family and she was eligible for withdrawing Rs.9,66,140/- from the Savings Bank A/C No.22750100000858 of late Sreemat Chandra Seal i.e. deceased husband of the petitioner and to withdraw Rs.94,182/- from Joint Savings Bank A/C No.22750100002414 of joint holders late Sreemat Chandra Seal and herself to receive Rs.1,03,733/- along with interest in respect of Fixed Deposit vide No.269984 dated 07.08.2012 under the Kuber Yojana Deposit Scheme. The respondents have illegally and arbitrarily withheld the aforementioned amounts submitted before the Bank without any valid reasons.

[4] The petitioner has prayed for the following reliefs :

“(i) Issue Rule upon the respondents to show cause as to why the respondents should not transmit all records relating to the case of the petitioner;

AND

(ii) As to why a Writ in the nature of Mandamus should not be issued directing the respondents to allow the petitioner to withdraw Rs.9,66,140/- from the Savings Bank A/C No.22750100000858 of late Sreemat Chandra Seal i.e. deceased husband of the petitioner, to withdraw Rs.94,182/- from Joint Savings Bank A/C No.22750100002414 of joint holders late Sreemat Chandra seal and also directing the respondents to release Rs.1,03,733/- along with interest in favour of the petitioner in respect of Fixed Deposit vide No.269984 dated 07.08.2012 under the Kuber Yojana Deposit Scheme which was issued in favour of late Sreemat Chandra Seal i.e. deceased husband of the petitioner, in favour of the petitioner;

AND

(iii) As to why such other order/orders should not be passed so as to give full relief to the petitioner, and, upon causes shown, to make the Rule absolute.”

[5] The petitioner issued a notice through counsel to the Branch Manager, UCO Bank, Agartala Purbasha Branch dated 05.05.2022 indicating her grievances that after the death of her husband, she is facing financial hardship and to meet with the financial stringency, she wants to withdraw a sum of Rs.9,66,140 and further sum of Rs.94,182, & 1,03,733/- respectively from the savings account of her deceased husband.

[6] Mr. Raju Datta, learned counsel appearing for the petitioner submits that despite issuing notice to the respondent-Bank to withdraw the amounts in favour of the petitioner, the respondents-Bank did not

allow the petitioner to withdraw the amount. No representation is made on behalf of the respondent-Bank.

[7] After hearing the submissions made by the learned counsel for the petitioner, the present writ petition is disposed of directing the respondents-Bank to immediately act upon the notice of the petitioner dated 05.05.2022 and give a suitable reply, in accordance with law, within a period of 2(two) months from the date of receipt of the copy of this order.

[8] The writ petition is disposed of. Pending application(s), if any, also stands disposed of.

CHIEF JUSTICE (ACTING)



सत्यमेव जयते

Dipesh