



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL
PRADESH)

Case No. : Cont.Cas(C)/274/2018

NURJAMAL SK.

S/O- LT SUJUN ALI SK, VILL- BAMUNERVITA, PO MEDORTARI, PS-
FAKIRGANJ, DIST- DHUBRI, ASSAM, PIN-783330

VERSUS

B.K.B. GOHAIN AND ANR.

THE ZONAL MANAGER, UCO BANK, ZONAL OFFICE, ASSAM,
SILPUKHURI, GHY-3

2:SRI SANTU BAG
THE BRANCH MANAGER
UCO BANK
JALESWAR BRANCH
JALESWAR
PO JALESWAR
PS LAKHIPUR
DIST- GOALPARA
ASSAM
PIN-78313

Advocate for the Petitioner : MR. A F N U MOLLAH

Advocate for the Respondent : Mukesh Sharma (R1)

BEFORE
HON'BLE MR. JUSTICE MANISH CHOUDHURY

ORDER

12.05.2023

Heard Mr. A.F.N.U. Mollah, learned counsel for the petitioner and Mr.
N. Sarma, learned counsel for the respondent no. 1.

2. The instant contempt application has been preferred by the petitioner alleging non-compliance of the direction made in the order dated 04.03.2016 passed in the writ petition, W.P.[C] no. 3162/2015.

3. The relevant part of the order dated 04.03.2016 reads as under :-

I have heard learned counsel for the parties. The present case relates to non-reconciliation of the petitioners' Bank Account despite the mistakes committed by the Bank. It has also stated at the Bar that payments have been made as per the summary of claim to A/c. Holders having small deposit but rectificatory measures have not been taken for the A/c holders having higher savings. The petitioners claim are as follows :-

Sl No.	Name	A.C. No.	Claim No.	Principal Amount
1.	Md Shamsul Alom	12020100702416	241	Rs. 1,08,670/-
2.	Shibani Das	12020110009277	4	Rs. 67,872/-
3.	Abuzar Goffar	12020100702048	36	Rs. 2,00,820/-
4.	Hurmuj Ali	12020100700573	231	Rs. 40,000/-
5.	Md Hazrul Islam	12020100702677	62	Rs. 30,167/-
6.	Jorimon Bibi	12020100704189	85	Rs. 93,737/-
7.	Afsar Ali	12020100702671	69	Rs. 2,96,000/-
8.	Nurjamal Sk	12020100704054	234	Rs. 3,65,000/-
9.	Shabjan Nessa	12020100703753	135	Rs. 2,14,000/-
10.	Rajmita Madrassa H.S. School	12020100703005	38	Rs. 3,63,945/-

As per the submissions of Mr. A.J. Das, learned counsel for the respondent nos. 6 to 9, the claim of the petitioners have not been forwarded by the Three Men Committee to the Zonal Office for payment as the same needs some examination. Mr. A.J. Das, therefore, prays for 3 [three] months time to allow the State respondent nos. 7 to

9 to examine the claim of the petitioners and to pass necessary orders within a period of 3 [three] months from today.

Considering the entire matter, I direct the respondent nos. 7 to 9 to consider the petitioners claim for payment of their dues within a period of 2 [two] months from the date of receipt of a certified copy of this order.

It is needless to say that all payments due will be subject to addition of interest payable to the petitioners as per the interest rate prevailing as per bank norms. The respondent nos. 7 and 9 will also ensure that if and when they require the presence of the petitioners during their examination in respect of the dues payable, they shall call the petitioners only to the UCO Bank, Jaleswar Branch.

This writ petition is, accordingly, disposed of.

4. Mr. Sarma, learned counsel appearing for the respondent no. 1 has submitted that after consideration of the petitioners' claims, all the petitioners have been disbursed different amounts as found to be entitled.

5. Mr. Mollah, learned counsel for the petitioner has submitted that some of the petitioners have received lesser amount than as per their calculations.

6. As the direction in the order dated 04.03.2016 is to consider the petitioners' claim for payment they are entitled, after examination, with interest rate prevailing as per Bank norms, the respondent Bank authorities have already disbursed the amounts found to be entitled by the petitioners herein after consideration. In view of such fact situation, there is no necessity to keep the instant contempt application pending as the direction is complied with. If the petitioners have any further grievances to the effect that they received lesser amounts than as per their calculations they are at liberty to approach the respondent Bank authorities by filing representations with appropriate justifications as regards their claims. In the event such

representations are filed, the respondent Bank authorities shall consider the same in accordance with law.

7. The contempt application stands disposed of.

JUDGE

Comparing Assistant