

HIGH COURT OF TRIPURA
AGARTALA

WP(C) 284 of 2024

Smt. Maya Rani Lodh (Das)

---Petitioner(s)

Versus

The Regional Manager, Bank of India and 2 Others

---Respondent(s)

For Petitioner(s)	:	Mr. AK Pal, Advocate. Mr. T.K. Bhattacharya, Advocate.
For Respondent(s)	:	None.

HON'BLE MR. JUSTICE T. AMARNATH GOUD

ORDER

22.04.2024

This is a petition under Article 226 of the Constitution of India for seeking the following relief(s):

- (i) Admit the writ petition of the petitioner;
- (ii) Issue notice upon the respondents;
- (iii) Call for the relevant records from the custody of the respondents;
- (iv) After hearing all the parties, Your Lordship would be kind enough to direct the respondents bank to release "Debts" amount of Rs.65,61,507/- which is lying in the name of the deceased husband of the petitioner in the respondents bank in terms of letter dated 29.02.2024 issued by the respondents bank mentioned in Sl.No.3, 4 & 5.
- (v) And Your Lordship would be kind enough to stay the operation of the letter dated 12.03.2024 issued by the respondents bank No.2 till completion of the writ petition of the petitioner;
- (vi) To pass any other order/orders as deems fit and proper.

It is the case of the petitioner that the petitioner is a 80 years widow senior citizen of India and her husband Radhika Ranjan Das died on 25/07/2023 left behind only his wife i.e. petitioner as a legal heir. During his life time, he deposited money in the form of SB Account, Fixed deposit as well as term deposit in his name with respondent no. 3 in the bank of respondent and after death of husband of the petitioner, the petitioner several times approached to the respondents bank for supply/providing a Statements of Debts of her deceased husband's debts lying with the respondents bank. But the respondents bank did not provide the same to the petitioner as the respondents bank

refused to provide the Statements of debt by order dated 02/11/2023 issued by the respondent no.2. Thereafter, the petitioner filed writ petition before the this Court bearing No. W.P.(C) 156/2024 and after hearing this Court passed the judgment on 26/02/2024 and after the judgment of this Court, the respondents bank supplied the statements of debts of deceased person to the petitioner vide order 29/02/2024 and received the statements of debts, the petitioner approached before the respondents bank for releasing the debts of deceased person which is lying in the bank in the form of term deposit Sl. No. 3, 4 and 5 of the order dated 29/02/2024. The respondent bank issued the order dated 12/03/2024 to the petitioner in reply of her approached for releasing the debts amount of Rs. 65,61,507/-, but the respondents bank asked the petitioner to submit the stay order of the this Court within 30 (thirty) days which failing the respondents bank shall proceed as per bank rules guidelines for rereleasing the said debts of the deceased person. Hence the petitioner filed this writ petition for releasing the debts amount of Rs. 65,61,507/- to the bank account of the petitioner for fair ends of justice.

Heard learned counsel for the petitioner.

After perusing the record, it appears to this court that the respondents have complied with the order dated 26.02.2024 and nothing survives for adjudication. There is no ambiguity to observe that the petitioner has failed out to make out his case. The impugned orders dated 29.02.2024 & 12.03.2024 in challenge have been misinterpreted by the petitioner. Hence the instant writ petition is liable to be dismissed.

In view of the said submission, the instant writ petition stands dismissed. As a sequel, stay, if any, stands vacated. Pending application(s), if any, also stands closed.

JUDGE

Dipak

DIPAK DAS
Digitally signed by
DIPAK DAS
Date: 2024.04.23
18:35:45 +05'30'