

GAHC010025472024



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

Case No. : WP(C)/779/2024

DIPTY PATOWARY
W/O- LATE HARICHARAN PATOWARY ,
VILL- UJANPARA,
P.S- BOKO, DIST- KAMRUP, ASSAM

VERSUS

THE UNION COOPERATIVE BANK LTD AND 2 ORS
REP. BY ITS CHAIRMAN HAVING ITS CHAIRMAN HAVING ITS HEAD
OFFICE AT CHANDAN NAGAR, BELTOLA ROAD, GUWAHATI-28

2:THE MANAGING DIRECTOR
THE UNION COOPERATIVE BANK LTD.
CHANDAN NAGAR
BELTOLA ROAD
GUWAHATI-28

3:THE BRANCH MANAGER
THE UNION COOPERATIVE BANK LTD.
JAGIROAD BRANCH

SHIV MANDIR ROAD
JAGIROAD
DIST- MORIGAON
ASSAM
PIN-78241

Advocate for the Petitioner : MR N RAHMAN

Advocate for the Respondent :

**BEFORE
HONOURABLE MR. JUSTICE MICHAEL ZOTHANKHUMA**

ORDER

19.02.2024

1. Heard Mr. N. Rahman, learned counsel for the petitioner, who submits that the MACT No.2, Kamrup (M), Guwahati vide order dated 31.05.2019 passed in MAC Case No.2141/2016, had directed that Rs.2,00,000/- out of the total compensation amount, was to be deposited in the account of the petitioner's daughter, namely Ms. Pinki Patowary, till she attained majority.

2. The petitioner's counsel submits that the petitioner is in need of the money for educational and other purposes and as such, has made an application dated 07.12.2023 to the respondent Bank, seeking premature withdrawal of the aforesaid amount from the Union Co-operative Bank Ltd., Jagiroad Branch, Morigaon. He accordingly submits that a direction should be issued to the respondent Bank to consider the case of the petitioner, by taking a decision on his application.

3. As the deposit of Rs.2,00,000/- has been made in the account of the petitioner's daughter, in pursuant to the order dated 31.05.2019 passed by the MACT No.2, Kamrup (M), Guwahati, this Court is of the view that the petitioner would have to approach the learned Tribunal in this regard.

4. Accordingly, the writ petition is dismissed, with liberty being given to the petitioner to approach the learned Tribunal.

JUDGE

Comparing Assistant