



CNR: KAHC010214652026

NC: 2026:KHC:47379
WP No. 9608 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 9608 OF 2026 (GM-RES)

BETWEEN:

1. MS. PUJA PRASHANT BHAT @ M S PUJA SONDE
D/O PRASHANT BHAT
AGED ABOUT 24 YEARS
PERMANENT RESIDENT OF 2522
BAILEY CT, IRVING TEXAS-75063
REPRESENTED BY HER GPA HOLDER
SMT. MANORAMA D.SONDE
W/O LATE DAS GANESH SONDE,
AGED ABOUT 76 YEARS
R/O 'VINAYAKA' HOUSE NO.296,
BRINDAVANA EXTENSION, 7TH CROSS,
10TH MAIN, 1ST STAGE, MYSORE-20

... PETITIONER

(BY SRI. DEEPAK MATHRE, ADVOCATE FOR
SRI HARISH KUMAR M S., ADVOCATE)

AND:

1. THE CANARA BANK
REPRESENTED BY ITS CHAIRMAN AND
MANAGING DIRECTOR,
HEAD OFFICE AT 112, J.C. ROAD
BENGALURU - 560 002
2. THE MANAGER
CANARA BANK
SOUTH END CIRCLE BRANCH
BANGALORE-560 011

... RESPONDENTS

(V/O DATED 10.04.2026, SRI NANDISH PATIL, ADVOCATE)

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA



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THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECT THE RESPONDENT NO.2 BANK TO TRANSFER THE FIXED DEPOSITS MADE BY THE FATHER OF THE PETITIONER I.E., SRI PRASHANT BHAT IN THE NAME OF THE PETITIONER IN PURSUANCE OF THE JOINT MEMO FILED BY THE PARENTS OF THE PETITIONER BEFORE THIS HON'BLE COURT IN CRIMINAL PETITION NO. 2199/2007 DTD 03.04.2009 VIDE ANNEXURE-E DTD 08.04.2009 AND MC 958/2009 08.04.2009 ON THE FILE OF PRL. FAMILY JUDGE AT BANGALORE VIDE ANNEXURE-F TO THE SB A/C OF THE PETITIONER BEARING NO. 1315101013402 IN CANARA BANK, BRINDAVAN EXTENSION BRANCH, MYSORE WITHIN 7 DAYS FROM TODAY AS SOUGHT IN ANNEXURE-J1 DTD 12.02.2025.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioner is before this Court seeking for the following reliefs:

- (i) *To direct the Respondent No.2 Bank to transfer the Fixed Deposits made by the father of the Petitioner i.e., Sri Prashant Bhat in the name of the Petitioner in pursuance of the joint memo filed by the parents of the Petitioner before this Hon'ble Court in Criminal Petition No. 2199/2007 dtd 03.04.2009 vide Annexure-E dtd 08.04.2009 and MC 958/2009, 08.04.2009 on the file of Principal Family Judge at Bangalore vide Annexure-F to the SB A/c of the petitioner bearing No. 1315101013402 in Canara Bank, Brindavan Extension Branch, Mysore within 7 days from today as sought in Annexure-J1 dated 12.02.2025.*
- (ii) *Pass such other order or orders as may be deemed fit and necessary in the facts and circumstances of the case.*



2. Petitioner's father and mother were part of matrimonial proceedings in MC No.958/2009, which came to be settled vide a Memorandum of Settlement under Section 89 read with Rules 24 and 25 of the Karnataka Civil Procedure (Mediation) Rules, 2005. In pursuance thereof, an amount of Rs.15,00,000/- was agreed to be deposited by the father in the name of the petitioner in a fixed deposit opened with the respondent - Canara Bank. Insofar as interest on an amount of Rs.5,00,000/- of the aforesaid deposit, it was available to the petitioner until she reaches the age of 18 years and as regard the interest on the remaining Rs.10,00,000/- was required to accumulate until she reaches the age of 18 years and after which the entire amount of Rs.15,00,000/- along with interest that accrued on Rs.10,00,000/- was to be available to the petitioner for use for educational and marriage expenses.
3. There is an embargo which had been imposed that the said amount would not be withdrawn until the petitioner reaches the age of 18 years. The petitioner having made an application to the respondent - bank for withdrawal of the above amounts, the respondent - bank refused to allow the withdrawal on the ground



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that such withdrawal would require the father's consent and confirmation. It is in that background that the petitioner is before this Court seeking for the aforesaid reliefs.

4. At the outset, this Court would have to observe that the petitioner is now aged 24 years as on the date of filing of the petition. That is much beyond the 18 years prescribed under the said Memorandum of Settlement. The amount of Rs.15,00,000/- had been agreed to be deposited in the name of the petitioner for her welfare and it has been categorically agreed both under clause (5) and under clause (9) that after the petitioner attains the age of 18 years, the entire principal of Rs.15,00,000/- and the interest accrued on Rs.10,00,000/- will be available for the educational and marriage expenses of the petitioner. The embargo which had been imposed for withdrawal was only until she turns 18 years of age and not beyond. The petitioner now being 24 years of age, the said amount standing to her credit with the respondent – bank, this Court is of the considered opinion that the respondent bank could not have denied the petitioner the benefit of the amount standing in her name by allowing her to withdraw.



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The said amounts which are required for her expenses.

5. One other aspect that this Court would have to notice is that the petitioner is residing in Texas and is represented by a GPA holder. Hence, it would have to be also made clear that the transfer of the money in the fixed deposit would have to be an account of the petitioner and not to the account of the power of attorney holder. Hence, this Court passes the following:

ORDER

- i) Writ petition is ***allowed.***
- ii) Respondent - bank is directed to transfer aforesaid amount of Rs.15,00,000/- as also the interest which is accrued on a sum of Rs.10,00,000/- and any other amounts which may lie to the credit of the petitioner on account of the interest accrued on a sum of Rs.5,00,000/- or such other amount to the personal account of the petitioner within the country. The account details shall be provided by the petitioner to the respondent - bank



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within a period of 15 days from the date on
which the said information is provided.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

PRS
List No.: 1 SI No.: 31