

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7189 of 2009

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Ramesh Kumar Singh, son of late Shyama Singh, r/o-village Ranipur, P.O.-
Kodra, P.S.- Paliganj, District- Patna.

.... Petitioner/s

Versus

1. Chief Manager, Bank of India Zonal Office, R-Block, Patna.
2. The Branch Manager, Bank of India, Ara Branch, Ara.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jagannath Singh, Advocate.

For the Respondent/s : Mr. Shiavji Pandey, Advocate.

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

4 29-01-2015

Heard learned counsel for the parties as with regard to

the following prayer made in this writ application:

"1. commanding the respondent authorities to make the payment of amount of Rs. 6,11,416/- with up to date interest till the date of payment to the petitioner who is nominee of Saving Account No. 11370 standing in the name of his father-in-law Sri Ranpal Bahadur Singh @ Mohan Jee who died on 28.12.2004 and the petitioner being the nominee was required to be paid the amount under the provisions as contained in Part-IIIB Section 45ZA of the Banking Regulation Act, 1949 and also in compliance of the guidelines issued by the Government of India time to time(Annexure-4)."

2. As would appear, the petitioner has certain grievance as with regard to payment of amount of saving bank account of his father-in-law. It is the case of the petitioner that he was the nominee made by his father-in-law and as such the bank ought to have made payment to the petitioner of the entire amount that was deposited in the aforementioned saving bank A/c no. 11370.

3. In the considered opinion of this Court, for such

claim the petitioner ought to have produced a succession certificate. There is nothing on record that the petitioner had produced succession certificate. In any event, if the petitioner had a grievance with regard to banking transaction, he, instead of moving this Court, ought to have moved the Banking Ombudsman.

4. That being so, this writ application must fail and is hereby dismissed.

5. Nothing said in this order, however, will come in the way of the petitioner to claim his amount by moving appropriate forum/Civil Court.

(Mihir Kumar Jha, J)

Sujit/-

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