

Party Name : PRASENJIT PAUL Vs BANK OF INDIA & ORS

HONBLE THE CHIEF JUSTICE DEEPAK GUPTA THE HONBLE MR JUSTICE U. B. SAHA

On 26-02-2015, we had passed the following order:-

“Mr. A Gon Choudhury states that the Bank has already prepared the cheque for payment of the retiral dues of the petitioner but he has not come to the Bank to receive the same and sign all the necessary documents for the needful.

*List the matter on **26th March, 2015** before which the petitioner should approach the Bank and complete all the necessary documentary formalities failing which we shall dispose of the petition.”*

Mr. A. Gon Choudhury, learned counsel for the respondents, states that the petitioner has not come to the Bank to receive the cheque.

The litigant cannot treat the Court like his personal employee to give a date of his choice. If the petitioner is not interested in collecting the money, we cannot help him any further.

Therefore, the petition is closed.

We, however, make it clear that as and when the petitioner approaches the Bank, the Bank will pay the amount due to the petitioner.

However, in view of the fact that the petitioner himself is not coming to take the money, we clearly hold that the petitioner shall not be entitled to any interest or costs in any proceedings hereinafter.