

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2042 of 2015

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Sunil Kumar Tatma S/o Late Pulkit Tatma, Resident of Village and P.O. Dumar,
P.S. Phalka, District Katihar.

.... Petitioner/s

Versus

1. The General Manager, State Bank of India, Bihar, Patna.
2. The Regional Manager Region-III, State Bank of India, Purnea Region, Purnea.
3. The Branch Manager, State Bank of India, P.S. Pothiya, Pothiya Branch,
Katihar District.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Lalit Narayan Jha, Advocate.

For the Respondent/s : Mr. Anjani Kumar Mishra, Advocate.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 08-03-2016

Heard learned counsel for the parties.

The petitioner had moved the Court seeking a direction to the respondent authorities of the State Bank of India (hereinafter referred to as the 'Bank') to make payment of the amount lying in the account of his late father in the Branch of the respondent no. 3 bearing Account No. 11770981426.

Learned counsel for the petitioner submits that his father died on 06.10.2011 and as his account did not have any nominee, he had made an application before the respondent no. 3 to draw the amount lying in the said account, but the same has not been paid. It is submitted that the Bank may be directed to make payment of the said amount.

Learned counsel for the Bank submits that the petitioner has not been able to comply with all the legal formalities before payment could

be made, moreso, in view of the fact that there is no nominee in the account. It is submitted that upon formalities being completed, the amount shall be paid to the petitioner. He further submits that in order to facilitate matters, the Bank authorities are willing that if the petitioner approaches them, they shall co-operate in getting all the required formalities to be completed so that payment can be made to the rightful heirs including the petitioner.

Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the writ petition stands disposed off with a direction to the respondent no. 3 to ensure that the amount, lying in the account of late Pulkit Tatma, is paid to his heirs within four weeks from the date the petitioner appears before him along with copy of this order. It shall be ensured that all remaining legal formalities are complied with by the petitioner within one week from today. The Court would only like to observe that all the formalities, which have already been completed by the petitioner, shall not be insisted to be repeated especially relating to other claimants having given their no objection in favour of the petitioner to receive the amount.

(Ahsanuddin Amanullah, J)

Sujit/-

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