

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18402 of 2017

Along with

Interlocutory Application No. 2428 of 2018

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Ajit Kumar Pandit Son of Late Gurucharan Pandit Resident of Mohalla - Aliganj,
P.O. + P.S. - Banka, District - Banka, At present residing at Rani Kothi, Williams
Tower Deoghar, P.S. - Deoghar, District - Deoghar (Jharkhand).

.... Petitioner/s

Versus

1. The Chairmna Cum M. D., Uco Bank, 10 B.T.M., Sarani, Kolkata - 700001.
2. The General Manager, UCO Bank Personnel, Services Department, D.D. 3 and 4
Sector - 1, Salt Lake City, Kolkata - 700064.
3. The Zonal Manager, UCO Bank, Zonal Office, S.K. Tarafdar, Adampur,
Bhagalpur - 812001.
4. The Manager UCO Bank, Suia Branch, Banka - 813106.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajendra Prasad, Sr. Advocate with Mr. Vinod Shanker Modi, Advocate
For the Bank	:	Mr. Ranjeet Kumar Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 18-04-2018

Heard learned counsel for the petitioner and UCO Bank
(hereinafter referred to as the 'Bank')

Re.: Interlocutory Application No. 2428 of 2018

2. The present Interlocutory Application has been filed
for impleading the State of Bihar as well as the Investigating Officer
of Suiya P.S. in the district of Banka as respondents no. 5 and 6.

3. Learned counsel for the petitioner submitted that as, due
to pendency of Suiya P.S. Case No. 4 of 2016 dated 20.10.2016, the
payment of Provident Fund credited into the account of the petitioner



has been frozen and, thus, for release of the same, they are required to be made party.

4. Learned counsel for the Bank submitted that as the writ petition was confined to the relief against the Bank for making payment of Provident Fund and other retiral benefits, the said freezing of the account on the request of the Investigating Officer is a separate cause of action.

5. Having heard the matter, the Court finds substance in the stand taken by learned counsel for the Bank. The writ petition having been filed in December, 2017 and the criminal case having been lodged in October, 2016 and the petitioner being aware of the same, not having impleaded the police/authorities who have directed for freezing of the account, the same, at this stage, cannot be allowed. It is a totally separate cause of action as it would require the Court to go into the aspect relating to the criminal case lodged against the petitioner, i.e., Suiya P.S. Case No. 4 of 2016 dated 20.10.2016. The prayer in the present writ petition being confined to the relief against the Bank seeking payment of Provident Fund and other retiral benefits and the Bank having credited the admitted amount of Provident Fund, Gratuity and pension in the account of the petitioner, the Court finds that they have discharged their liability and accordingly, the writ petition having served its purpose, stands disposed off.



6. Interlocutory Application No. 2428 of 2018 stands rejected.

7. However, the petitioner shall be at liberty to approach the appropriate forum, in accordance with law, with regard to his grievance relating to his account being frozen.

(Ahsanuddin Amanullah, J)

Anjani/-

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