

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.2142 of 2019**

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Syed Ali Sarwar aged about 54 years (male), S/o-Late Abdul Hai R/o- Baitul Faizan, Kanghiya Tola, Noon Ka Chauraha, P.S. Khajekalan, Dist-Patna.

... .. Petitioner

Versus

1. The Zonal Manager, Allahabad Bank, Bihar
2. The Managing Director, Allahabad Bank Bihar
3. The Branch Manager Allahabad Bank, Sultanganj Branch, Patna, Bihar
4. Syed Ali Shabbar aged about 50 years, S/O-Late Abdul Hai R/o- Mohalla-Balkishunganj Ghera, Police Station-Alamganj, Patna

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Syed Asgher Najmi, Advocate |
| For the Respondent/s | : | Mr. Rajan Ghoshrahe, Advocate   |
| For Res. No. 4       | : | Mr. Behzad Akhtar, Advocate     |

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

3      29-04-2019                      Mr. Behzad Akhtar, learned counsel entered appearance on behalf of respondent no. 4 who is the nominee in the account of the father.

The petitioner in this case has raised a dispute with regard to entitlement of respondent no. 4 to receive the money lying in the Account of his father. In his writ application a statement has been made that respondent no. 4 is the nominee only for the convenience to receive the money and that would not take away the interest of the other four brothers of respondent no. 4.

The Bank has appeared and filed a counter affidavit. It is stated that the Account holder of the Saving Bank Account



had not registered any nominee and the Account is in 'Either or Survivor' mode of operation, meaning thereby that on the death of one of the Account holders, the another will be entitled to receive the money.

At this stage, learned counsel for the petitioner as well as respondent no. 4 submit that they have reached to a compromise and have executed an agreement dated 16<sup>th</sup> day of April, 2019, a copy whereof has been produced before this Court. In the agreement both the parties have agreed to divide equal shares between themselves. All the four brothers are parties to the agreement and they are said to have signed the agreement. Let it be kept on record.

It appears that the parties have now resolved their dispute. In that view of the matter, this writ application has become infructuous. It is disposed off accordingly.

**(Rajeev Ranjan Prasad, J)**

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