

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CWP-1294-2019 (O&M)
Date of Decision:11.02.2019**

Pritam Singh through SPA Sohan Singh ... Petitioner

Versus

The Hoshiarpur Cooperative Bank Ltd. & others ... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Naveen Batra, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J. (ORAL)

CM-1089-CWP-2019:

Application is allowed as prayed for. The accompanying affidavit dated 19.01.2019 of the Special Power of Attorney, namely, Sohan Singh of the petitioner Pritam Singh is taken on record.

Application is disposed of.

Main case:

Petitioner seeks a mandamus directing the respondent/The Hoshiarpur Central Cooperative Bank Limited to permit him to operate the savings bank deposit account bearing No.085034001000018 and the long term fixed deposit account bearing No.085036040100029.

It has been averred in the petition that the accounts in question are joint and held in the name of the petitioner along with his son, namely, Sucha Singh/respondent No.4. It is claimed that a total sum of Rs.17 lakhs approximately is lying deposited in the savings account as well as in the fixed deposit account. Further urged that the petitioner herein is the primary/first

joint holder and his son, namely, Sucha Singh is the second joint holder.

Case projected on behalf of the petitioner is that the account in question had been opened in the year 1996 and the name of his son Sucha Singh was got entered in the bank records as a joint account holder only for the convenience of the petitioner and to facilitate the operating of the bank accounts on account of his advanced age.

The filing of the instant writ petition and the prayer made therein has been necessitated on account of the fact that the joint account holder, namely, Sucha Singh has filed an application before the bank stating that no amount be released or be permitted to be withdrawn unless he personally visited the bank.

Counsel refers to an application dated 27.11.2017 (Annexure P-4) made to the Branch Manager, Hoshiarpur Central Cooperative Bank Branch Panjore, District Hoshiarpur seeking a clarification as to whether he is entitled to operate his accounts as per banking rules and norms.

Counsel submits that such application has not been responded to till date.

In view of the short issue raised in the petition and without even ascertaining the correctness of the averments made therein, I deem it appropriate to dispose of the instant writ petition with a direction to respondent Nos.1 and 2 i.e. the Competent Authority under the Hoshiarpur Central Cooperative Bank, Hoshiarpur to respond to the application dated 27.11.2017 (Annexure P-4) and to apprise the petitioner as to under what circumstances he is not being permitted to access the accounts in question and as to whether such action is as per banking norms and practices.

Response to the application dated 27.11.2017 (Annexure P-4) be

furnished to the petitioner within a period of four weeks from today.

Disposed of.

11.02.2019

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(TEJINDER SINGH DHINDSA)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |