

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 1876 of 2020**

1. Santosh Verma, S/o Late Shri Chetan Lal Verma, Aged About 44 Years
R/o Village Barbaspur, Tehsil And District Rajnandgaon Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through - The Secretary, Department Of Revenue, New Mantralaya, Mahanadi Bhawan, Naya Raipur, Atal Nagar Raipur Chhattisgarh.
2. The Collector, District Office, G.E. Road, District - Rajnandgaon Chhattisgarh.
3. The Naib Tahsildar, U P Tehsil Office, Ghumka, District Rajnandgaon Chhattisgarh.
4. The Sub Divisional Officer (Revenue) District Rajnandgaon Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Anchal Kumar Matre, Adv.
For State	:	Mr. Anand Verma, Dy. G.A..

Hon'ble Shri Justice P. Sam Koshy**Order on Board****04/09/2020**

1. Vide the impugned order, the respondent No. 3 -the Naib Tahsildar has passed an order on 28.02.2020 directing the District Cooperative Central Bank, Branch Ghumka, District Rajnandgaon for staying the further transaction both withdrawal and deposit being made in the said account.
2. The contention of the counsel for the Petitioner is that the Naib Tahsildar has passed the impugned order, firstly without issuing any notice to the petitioner or calling upon an explanation from the petitioner as to why the operation should not be stayed, secondly, the Naib Tahsildar also does not have any jurisdiction conferred upon him under any provision of law for passing such an order.
3. Moreover, the contention of the petitioner is that the account which is maintained with the Bank is a saving account jointly operated by the petitioner and his brothers and If at all if there is any dispute inter-se between the petitioner and his brothers, the person having the dispute

should approach the bank not to the Naib Tahsildar for redressal of their grievance.

4. The State Counsel in the course of making his submission fairly concedes that the Naib Tahsildar does not have any jurisdiction or authority under law to pass such an order. It also appears from the proceedings that before passing the impugned order Annexure P/1, no notice as such was issued to the petitioner or his explanation was called before staying of the said operation.
5. Under the circumstances, this Court is of the opinion that the impugned order Annexure P/1 is not sustainable in the eye of law, the same deserves to be and is accordingly set aside/ quashed. However the right of the aggrieved person stands reserved for approaching the concerned Bank or any other forum authorized for redressal of their grievance.
6. With the aforesaid direction, the writ petition accordingly stands disposed of

Sd/-

(P. Sam Koshy)
Judge

Jyotijha