

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8362 of 2020

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Anil Kumar Singh S/o Late Yugal Kishore Singh Resident of Chitrakut, Rukunpura Baily Road Patna, P.S.- Rupaspur, Dist.- Patna, presently Residing at 97, M.M. Feeder Road, Rituparna Apartment Kamarhati (M) Ariadaha, West Bengal P.S.- Dakshineshwar District- North24 Pargana West Bengal.

... .. Petitioner/s

Versus

1. The Indian Bank through its Chairman Cum Managing Director, Indian Bank, Corporate Office, 254-260 Avvai Shannugam Salai, Royapettah, Chennai- 600014.
2. The Chairman Cum Managing Director, Indian Bank, Corporate Office, 254-260 Avvai Shannugam Salai, Royapettah, Chennai- 600014.
3. The Executive Director Indian Bank, Corporate Office, 254-260 Avvai Shannugam Salai, Royapettah, Chennai- 600014.
4. The Zonal Manager Indian Bank, 1st Floor, Govind Bhawan, Dakbunglow, Patna 800001, Bihar.
5. The Branch Manager Indian Bank, Danapur Main Branch Near Andhra Bank Daldai More, Danapur, Bihar.
6. Mr. Virbhadra S/o Late Yugal Kishore Singh R/o Chitrakut, Rukunpura Baily Road Patna, P.S.- Rupaspur Dist.- Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kumar Singh
For the Respondent/s : Mr.Md. Anisur Rahman

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-02-2021 Heard.

The present writ petition has been filed seeking the
following reliefs:-

“I) To issue an appropriate order or direction to institute a high level inquiry into the cheating and fraud committed by the Respondent Bank in the matter of changing name of the petitioner as Nominee, over a fixed Deposit No. 50462026102 of the father of the petitioner amounting to Rs. 50,00,000/- (Fifty lacs), after the death of the petitioner’s



father.

ii) To issue further appropriate writ, order or direction commanding the Respondent Bank to restore name of the petitioner as nominee over the Fixed Deposit No. 50462026102 of the father of the petitioner which was existing prior to the death of the father of the petitioner i.e. 17.05.2020.

iii) To issue further appropriate writ, order or direction commanding the Respondents to initiate Departmental proceeding and also institute a criminal case against the erring Bank officials and responsible persons of this fraud and cheating and direct the Bank authority to make available the F.D. amount to the petitioner forthwith.

iv) This Hon'ble Court may adjudicate and hold that after the death of the father of the petitioner on 17.05.2020, no one has any authority to change the name of nominee without the written consent of the petitioner.

v) This Hon'ble Court may further adjudicate and hold that deleting the name of petitioner from the category of the Nominee after the death of its Creator (Father of the petitioner) is an act of cheating and fraud and the wrong doers are liable to be punished in accordance with the provisions of Departmental and penal law of Land.

vi) This Hon'ble Court may further adjudicate and hold that the Bank is liable to restore the original nominee (petitioner) in the Fixed Deposit No. 50462026102 which was created by the father of the petitioner on 20.09.2018, prior to his death.

Vii) To award cost of litigation and suitable compensation to the petitioner for the loss and the damages caused to the petitioner due to in action on the part of the Respondents."

At the outset, realizing the fact that the subject matter of the present writ petition is such that the same cannot be



adjudicated in a writ petition under Article 226 of the constitution of India, the learned counsel for the petitioner seeks liberty to approach an appropriate forum, as may be available under the law, for redressal of the petitioner's grievances.

Accordingly, the present writ petition stands disposed of as not pressed, however, with liberty to the petitioner to avail such other remedies as are available under the law.

(Mohit Kumar Shah, J)

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