

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 3306 OF 2020

Smt. Sunanda Wd/o Vasantrao Mankar,
..VS..

Smt. Priya Wd/o Vishal Mankar and Ors.,

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Praful A. Teni, Advocate for petitioner.
Shri S. D. Umredkar, Advocate h/f Shri S. G. Deshpande, Advocate
for respondent No.2.
Ms N. P. Mehta, A.G.P. for respondent No.3.

CORAM : SUNIL B. SHUKRE AND
ANIL S. KILOR, JJ.

DATED : 06.08.2021

Heard.

2. Ms Mehta, learned A.G.P., as an officer of the Court, has fairly admitted and conceded to the following :-

i) That no criminal case has been registered against anybody much less against the petitioner and, therefore, no order of freezing of the account in the nature of seizure of property under Section 102 of the Code of Criminal Procedure could have been passed by respondent No.3.

ii) That the dispute involved in this case is a civil dispute, the competent Authority for adjudication of which is the Civil Court having jurisdiction in the matter and not any police authority.

iii) That as per the record, the nomination in the insurance policy in question stood in the name of the petitioner and so far as respondent No.3 is concerned, there is no record available showing that the nomination was also made in the name of respondent No.1.

3. With such admitted factual position and legal position, learned A.G.P. submits as a officer of the Court, and we appreciate such assistance given by her that respondent No.3 will withdraw the communication dated 02.03.2020 whereby Corporation Bank was directed to freeze the account bearing No.520101258154857 till further orders and let the law take its own course.

4. The statement so made on behalf of respondent No.3 is accepted and the petition is disposed of in terms of statement so made.

JUDGE

JUDGE