

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE
(Through Video Conference)

WPA 3364 of 2020

Sahu Samaj Trust & Ors.
Vs.
Allahabad Bank & Anr.

Mr. Raja Basu Chowdhury
Mr. Arhat Biswas
... For the petitioners

Ms. Samapti Roy
... For Allahabad Bank

Mr. Udayan Roy
Mr. Sukanta Mondal
Mr. Debabrata Roy
... For the respondent no.2

The writ petitioners are aggrieved by the refusal of Allahabad Bank in not allowing them to operate the accounts of one Sahu Samaj Trust (West Bengal).

The petitioners claim to have been lawfully elected under the aegis of the Special Officer appointed by this Court.

This Court is of the view as to whether the petitioners are lawful representatives of the trust and as to whether the trust has been lawfully reconstituted is in the realm of disputed question of fact and completely private in nature. Allahabad/Indian Bank cannot be faulted for refusing the request of the petitioners to act as trustees or

to operate the trust accounts. The remedy of the petitioners is before an appropriate civil court for a decision on their status, right to represent the trust and consequently to operate its bank account.

No relief can therefore be granted to the petitioner in this writ petition.

With the aforesaid observation, WPA 3364 of 2020 stands disposed of. There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Rajasekhar Mantha, J.)