

11th November, 2022
(D/L No.11)
(SKB)

W.P.A. 4323 of 2022

Prithwis Kumar Roy and others
Versus
State Bank of India and others

Mr. Subhasis Chakraborty,
Mr. Amit Chowdhury,
Ms. Sushmita Kumari Singh
... for the petitioners.

Mr. Debashis Saha
... for the respondent no.1.

Mr. Pijush Kanti Ray
... for respondent no.2.

The affidavit of service handed up to the court encloses a track report which shows that the private respondent no.3, namely, Manasi Dhar, refused service of the writ petition as well as the order passed by this court on 31st October, 2022. The envelope annexed to the affidavit of service also shows that the service was refused. The earlier orders of this court further show that the private respondent no.3 was directed to be served at least on three occasions.

The petitioners are admittedly the immediate family members of the deceased, Ashok Kumar Roy.

Learned counsel appearing for the petitioners submits that the petitioners have already filed their respective applications for succession certificates.

W.P.A. 4323 of 2022 is accordingly disposed of with a direction to the respondent nos.1 & 2 not to disburse any amount to any third party until the petitioners obtain the succession certificates pursuant to the applications made in accordance with law. It is made clear that the petitioners shall make the required applications within a period of two weeks from date, if not already made. In view of the provisions of the Banking Regulations Act, 1949, the parties shall be at liberty of applying before the court for necessary orders once the petitioners obtain the succession certificates.

(Moushumi Bhattacharya, J.)