

28.03.2022

Ct. No. 13

Sl.51

pk

W.P.A No. 18451 of 2021
(Through Video Conference)

Mousumi Roy and others
Vs.
State of West Bengal and others

Ms. Labani Pan
Mr. Asif Hussain,
Mr. Vivek Basu,

.... For the petitioners

Ms. Sreemoyee Mitra
... for the Punjab National Bank.

The Medical Superintendent cum Vice Principal,
R. G. Kar Medical College and Hospital has submitted
a report. Three medical officers have signed on the
report. This Court appreciates the efforts put in by all
doctors involved. It appears that there are certain
inferences drawn by the medical board, which are set
out below :

“Following are the inferences based on the examination
findings –

1. He can recognize his family members as wife and daughter.
2. He can put LTI but he is not in a position to take conscious decision as regards operation of his bank accounts himself as his higher mental function is impaired.
3. He is not in a position to hold a pen by his right hand, and do signature by right hand appropriately due to right sided upper limb weakness, spasticity and sensory deficit.”

It is, therefore, clear to this Court that Amar Roy
can recognize his wife and children. He is unable to

put signature for want of appropriate locomotion of his right arm.

In the above circumstances, the concerned Branch Manager, Punjab National Bank shall duly obtain the signature of the writ petitioner no. 1 Mousumi Roy and verify the same by obtaining the left thumb impression of Amar Roy.

The aforesaid exercise shall be undertaken by the concerned Branch Manager, at the residence of the writ petitioner and Amar Roy, and in the presence of another official of the Bank.

After signature of the writ petitioner, Mousumi Roy, is obtained as indicated hereinabove, she shall be entitled to operate all the bank accounts of Amar Roy for all future purposes. The writ petitioner, Mousumi Roy shall also be entitled to operate other deposit accounts in the bank that was hitherto maintained by her husband. If such accounts are maintained jointly by the writ petitioner, Mousumi Roy and her husband, Amar Roy; Mousumi Roy shall henceforth operate the said accounts solely by herself.

The writ petition is disposed of.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

