

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO 1679 of 2022

ESTATE SREE SREE MAHADEB JEW & ORS.
VERSUS
INDIAN BANK & ORS.

WITH

WPO 1924 of 2022

ESTATE SREE SREE MAHADEB JIEW & ANOTHER
VERSUS
INDIAN BANK (FORMERLY KNOWN AS ALLAHABAD BANK) AND OTHERS

BEFORE:

The Hon'ble JUSTICE RAJASEKHAR MANTHA

Date : 6th April, 2022.

APPEARANCE:

In WPO 1679 of 2022:

Mr. Meghnath Dutta,Adv.
Mr. Arijit Doss Mullick,Adv.
Mr. Sananda Ganguli,Adv.
...for the petitioners.

In WPO 1924 of 2022:

Mr. Meghnath Dutta,Adv.
Mr. Arijit Doss Mullick,Adv.
Sananda Ganguli,Adv.
...for the respondent nos. 6 to 8.

In WPO 1679 of 2022:

Ms. Papiya Roy,Adv.
Mr. Rahul Karmakar,Adv.
...for respondent no. 12.

In WPO 1679 of 2022:

Mr. Sakya Sen,Adv.
Mr. A. Mitra,Adv.
Mr. Gaurav Purkayastha,Adv.
Ms. Sormi Dutta,Adv.
Ms. Sushmita Choudhury,Adv.
...for respondent no. 13.

In WPO 1924 of 2022:

Mr. Sakya Sen,Adv.
Mr. A. Mitra,Adv.

Mr. Gaurav Purkayastha,Adv.
Ms. Sormi Dutta,Adv.
Ms. Sushmita Choudhury,Adv.
...for the petitioners.

In WPO 1679 of 2022 & In WPO 1924 of 2022:
Mr. Anirban Ghosh,Adv.
...for bank/respondent no. 2.

In WPO 1924 of 2022:
Mr. Rahul Karmakar,Adv.
Ms. Papiya Roy,Adv.
...respondent no. 5.

The Court :- The petitioners in the two writ petitions are the shebaites of the petitioner no. 1, deity. They seek a direction upon the Indian Bank to permit operation of an account that was to be jointly operated along with the private respondents who are also shebaites of the same deity. Disputes and differences remain between the parties.

This Court does not find any act or omission on the part of the Indian Bank calling for interference by this Court. The bank has only insisted the account to be operated in terms of the original instructions.

While the request made by Mr. Sakya Sen and Mr. Meghnath Dutta, Counsels for the petitioners in the two matters appears to be otherwise innocuous, i.e. to permit payment of tax on account of the deity under the signatures of the petitioners, this Court cannot compel the bank to so allow such operation. This Court cannot even compel the private respondents to sign on any document contrary to their own wish.

This Court, therefore, sees no public element calling for invocation of the writ jurisdiction of this Court. Hence WPO No. 1679 of 2022 and WPO No. 1924 of 2022 are disposed of without any orders.

It is made clear that this Court has not entered into the disputes between the parties and the same may be agitated before an appropriate forum in accordance with law.

(RAJASEKHAR MANTHA, J.)

S.Chandra