

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P. (C) No.2912 of 2021

Damita Chakraborty

..... Petitioner.

-Versus-

1. The Eastern Railways, registered office at 17, Netaji Subhas Marg, 10-Strand Road, Kolkata.
2. The Eastern Railway Employees' Co-operative Bank Limited, 17, Netaji Subhas Marg, 10-Strand Road, Kolkata.
3. Secretary, the Eastern Railway Employees' Co-operative Bank Limited, 17, Netaji Subhas Marg, 10-Strand Road, Kolkata.
4. Chief Executive Officer, the Eastern Railway Employees' Co-operative Bank Limited, 17, Netaji Subhas Marg, 10-Strand Road, Kolkata.
5. Branch Manager, Dhanbad Branch of the Eastern Railway Employees' Co-operative Bank Limited, Dhanbad.

..... Respondents.

CORAM : HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Mr. A. K. Sahani, Advocate

For the Respondent no.1: Mr. Gautam Rakesh, Advocate

Order No.03

Date: 05.01.2022

This case is taken up through video conferencing.

The present writ petition has been filed for issuance of direction upon the respondent no.5 to release the maturity value of fixed deposits, detailed in Annexure-2 to the writ petition, along with interest within specified period, as the same has been withheld without assigning any reason.

Mr. A. K. Sahani, learned counsel for the petitioner, submits that Late Kusum Kumar Chakraborty, father-in-law of the petitioner, was a retired employee of Indian railways, who used to get pension of Rs.45,000/- per month. His wife (mother-in-law of the petitioner) died in the year 2013 and due to the said reason, he used to reside with the petitioner, her husband-Kuntal Chakraborty and her minor daughter, namely, Ananya Chakraborty. After retirement, Kusum Kumar Chakraborty got retiral benefits and out of the same, he invested certain amount as fixed deposits with the respondent no.5 in the name of his wife and second son- Kuntal Chakraborty (husband of the petitioner). After death of his wife, those fixed deposits were transferred in the names of Kuntal Chakraborty and the petitioner, which were renewed from time to time. The petitioner's father-in-law, namely, Kusum Kumar Chakraborty died on 24th September, 2017. The

details of the said fixed deposits in the names of the petitioner and her husband have been given in Annexure-2 to the writ petition. It is also submitted that one more fixed deposit was made on 26th May, 2014 with the respondent no.5 in the names of the petitioner, her father-in-law (since deceased) and her minor daughter- Ananya Chakraborty vide Certificate no.TD/CFD/59406 having maturity value of Rs.2,97,101/- as on 26th September, 2019.

Mr. Gautam Rakesh, learned counsel for the respondent no.1, submits that he does not have any instruction in the matter, as he does not represent the respondent nos.2 to 5.

Having heard learned counsel for the parties and keeping in view the nature of the prayer made in the writ petition, without entering into merit of the case, the petitioner is given liberty to file a fresh representation before the respondent no.5 on the present issue. On receipt of the said representation, the respondent no.5 after verifying relevant records shall take an informed decision within one month from the date of filing of the representation, which shall be duly communicated to the petitioner.

The writ petition is disposed of with the aforesaid liberty and direction.

(Rajesh Shankar, J.)

Sanjay/