

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.15204 of 2020
(Through Hybrid mode)

Rajkishore Pradhan

....

Petitioner

Mr. S.K.Padhi, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. P.C.Panda, Addl. Govt. Advocate

CORAM: JUSTICE ARINDAM SINHA

ORDER
07.03.2022

Order No.

- 06.
1. Mr. Padhi, learned advocate appears on behalf of petitioner and submits, his client is the son and entitled to operate his late mother's account no.31950882831 with Bharatipur Branch of State Bank of India. Order sheet reveals, there has been service on the bank but it has chosen to stay away.
 2. Mr. Panda, learned advocate, Addl. Govt. Advocate appears on behalf of State and submits, compensation was erroneously paid into the account. State has sought to recover from the bank, which by letter dated 3rd November, 2021 said, inter alia, as follows.

“6. Presently account is in freeze. Due to non submission of required KYC documents as per RBI guideline. Since account is inoperative condition we are not able to deduct the account from account.

7. *Present Balance is Rs.1,00,814/-."*

3. Petitioner is directed to approach the bank with his intention for operation of the account. Opposite party bank is directed to inform petitioner on the requirement of complying with formalities in operating the account. This requirement is to be communicated to petitioner within two weeks of petitioner's approaching the bank with copy of this order. In event petitioner fulfills the requirement, operation of the account must be allowed to petitioner, failing which reasons are to be informed to him. The operation or denial on reasons, must be within three weeks of fulfilling the requirement. State must find its remedy for recovery of compensation amount paid, according to it erroneously.

4. The writ petition is disposed of.

(Arindam Sinha)
Judge

RKS