

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) NO.16320 OF 2022

Ajay Kumar Rout

....

Petitioner

Mr.Padmanava Jena, Adv.

-versus-

State of Odisha & ors.

....

Opposite Party(s)

Mr.U.K.Sahoo, ASC

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
13.7.2022**

Order No.

01. 1. Heard learned counsel for the Parties.
2. Undisputedly, learned counsel for the Petitioner submits, there is already nomination attached to the Fixed Deposit involved.
3. For the settled position of law, the amount involving the Fixed Deposit is required to be released in favour of the Nominee only and in such situation, the Nominee indicated therein remains the Custodian of such property. From Annexure-4, it is observed, there is a claim by some legal heirs on the amount under Fixed Deposit. For the opinion of this Court, the Bank Authority has no right and responsibility to consider the stake of the legal heirs involving any deposit with them except honouring the Nominee. The Writ Petition in the circumstance remains un-entertainable and thus dismissed. In the event the Parties are so advised, they may move appropriate Court for appropriate relief.

(Biswanath Rath)
Judge