

IN THE HIGH COURT OF ORISSA AT CUTTACK

**W.P.(C) No.38798 Of 2021
(Through hybrid mode)**

Suresh Kumar Lenak and another* *Petitioners

Mr. A.K. Chaudhury, Advocate

-versus-

Branch Head, Union Bank of India, Chauhiaganj Branch and others* *Opposite Parties

Mr. Aurovinda Mohanty, Advocate

CORAM: JUSTICE ARINDAM SINHA

**ORDER
30.06.2022**

**Order
No.**

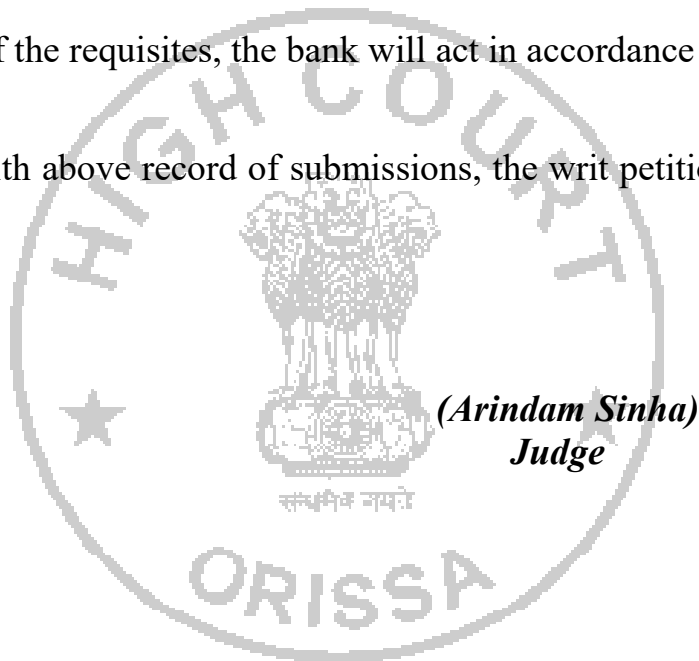
4.

1. Mr. Chaudhury, learned advocate appears on behalf of petitioners, claiming to be heirs and legal representative of the deceased person, who had a savings account and a fixed deposit with opposite party-bank. He submits, added opposite party no.2 had nomination in his favour in respect of the fixed deposit. On learning of his clients taking steps to move Court regarding distribution of monies in the saving bank and fixed deposit, added opposite party exercised his right of nominee and the bank paid out proceeds of the fixed deposit. The money in the saving bank account is with the bank. He submits, his clients will file for remedy regarding proceeds disbursed to added opposite party under the nomination clause in the fixed deposit. So far as money lying in the savings bank account is

concerned there be direction upon the bank to disburse the same to his clients to exclusion of added opposite party.

2. Mr. Mohanty, learned advocate appears on behalf of the bank and submits, money in the savings bank account is with his client, in the account. There are requisite formalities regarding payment of that money to legal heirs of a deceased account holder. Petitioners, or any legal heir in respect of the deceased account holder, if they comply in respect of the requisites, the bank will act in accordance with law.

3. With above record of submissions, the writ petition is disposed of.



Sks