

D/L. 11.
September 6, 2023.
MNS.

WPA No. 18965 of 2019

Smt. Mahua Chatterjee
Vs.
Senior Superintendent and others

Mr. Shibendra Nath Chatopadhyay

... for the petitioner.

Mr. Debapriya Samanta

...for the respondent no. 2.

Mr. Sudip Pal Choudhuri,
Ms. Diya nandi

...for the respondent nos. 3 and 4.

1. Learned counsel for the petitioner, on instruction, submits that although a similar writ petition was preferred subsequently, being WPA No. 3620 of 2020, the petitioner does not want to proceed any further with the same and chooses to move the present writ petition.
2. A copy of a written instruction in that regard is also handed over in court today and kept on record. On such undertaking of the petitioner not to proceed with the other matter, bearing WPA No. 3620 of 2020, and to have it dismissed for non-prosecution, irrespective of

the outcome of the present writ petition, the present writ petition is being taken up for hearing.

3. Learned counsel for the petitioner submits that the petitioner is the daughter of late Sunil Chandra Mukherjee. The respondent no. 5 is the widow of the said deceased and the respondent no. 6 is one of his other daughters.
4. The petitioner approached the respondent authorities, being the postal authorities as well as the respondent-bank, for appropriate information regarding the bank accounts held by the deceased father of the petitioner. However, having met with inaction of the authorities, the petitioner had to take out an appeal.
5. Learned counsel for the bank submits that the matter went up to the appellate forum and ultimately the respondent-State Bank of India had duly furnished information regarding the accounts held by the deceased father with the bank.
6. Learned counsel hands over a photocopy of an order dated March 23, 2020 by which purportedly such communication was made to

the petitioner. It is seen from the same that the numbers of the accounts of the petitioner's deceased father are disclosed therein.

7. Learned counsel for the Postal authorities submits that information could not be furnished due to objection on the part of the respondent no. 5, that is, the mother of the petitioner and widow of the said deceased.
8. However, one of the heirs, that is, the widow of the deceased accounts holder, is not entitled in law to prevent dissemination of information regarding the accounts or other assets of the deceased to the daughter, who is one of the other legal heirs.
9. Hence, the said ground of refusal on the part of the postal authorities is not justified in law.
10. It transpires from the Annexure A-2 of the writ petition (pages 16-17) that although some information was furnished by the postal authorities, as to query nos. 1 and 2 of the petitioner, as appearing in the said annexures, no information was alleged to be available with the postal authorities.
11. Be that as it may, since the postal authorities now take a different ground of objection,

which has been turned down, it is for the postal authorities to ascertain as to whether any other information is actually available with the postal authorities and, if so, to furnish the same to the petitioner. Mere furnishing information to the petitioner does not create any right in the property and, as such, the respondent no. 5 has no *locus standi* to object to the same being furnished to the petitioner.

12. Accordingly, WPA No. 18965 of 2019 is disposed of by directing the respondent nos. 1 and 2 to furnish all available information, which is not already furnished, regarding the security/accounts and other assets held in the name of the deceased father of the petitioner, late Sunil Chandra Mukherjee, by a written communication to the petitioner, as expeditiously as possible, positively within four weeks from date.

13. Insofar as the respondent-bank is concerned, since the learned Advocate for the bank has handed over copies of details regarding the accounts held by the deceased with the said bank, a copy of which has also been served on the petitioner here and now, the same would suffice.

14. The petitioner will be at liberty to take appropriate legal steps regarding the accounts of her deceased father, if the petitioner so desires, in accordance with law, with the information so furnished to her.
15. There will be no order as to costs.
16. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)