

AD-23
Ct No.09
15.12.2023
TN

WPA No. 20793 of 2023

Moutusi Mandal
Vs.
Bank of India and another

Mr. Pinaki Ranjan Mitra,
Mr. Sugata Mukhopadhyay

.... for the petitioner

- 1.** When the matter is called on for hearing, none appears for the respondents despite service. Affidavit-of-service filed today be kept on record.
- 2.** The petitioner is the heir of a deceased account holder in respect of the respondent no. 1-bank.
- 3.** When the petitioner approached the bank for information regarding the amount lying in the account for laying claim thereto, the bank refused to furnish such information, upon which an appeal was preferred under the Right to Information Act, 2005 by the petitioner. The Appellate Authority directed the bank to consider the petitioner's claim if the petitioner approaches the bank with proper documents regarding her heirship etc.
- 4.** However, despite the petitioner having written representations to the bank, nothing has been

disclosed by the bank regarding the details of the said account.

5. If the petitioner is an heir of the deceased account holder, the petitioner definitely has a right to know the pertinent details of the account, in order to enable her to lay claim to the contents of such account. As such, the bank acted *de hors* its authority in refusing to entertain the representation of the petitioner altogether. Definitely, the petitioner has to satisfy the bank *prima facie* as to her being the legal heir of the deceased account holder. However, beyond that, the bank does not have any business to refuse information.
6. Accordingly, WPA No. 20793 of 2023 is disposed of by directing the respondents to consider the representation of the petitioner as annexed to the writ petition and upon giving opportunity to the petitioner to satisfy the bank that the petitioner is actually one of the legal heirs of the deceased, to disclose the details of the bank account to enable the petitioner to lay a claim thereto.
7. The petitioner shall approach the bank with necessary documents to satisfy the bank that she is an heir of the deceased account holder within a fortnight from date for the bank to take action as

directed above. Upon being so satisfied, the bank shall immediately furnish such details to the petitioner.

- 8.** There will be no order as to costs.
- 9.** 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.)