

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4840 of 2024

Swami Suvirananda General Secretary for the time being of the Ramakrishna Mission, a Registered Society, having its Registered Office and Headquarters at Belur, Post Office- Belur Math, Police Station- Bally, District- Howrah, PIN Code- 711202, West Bengal, presently residing at Belur Math, Post-Belur Math, P.S.- Bally, District- Howrah, West Bengal- 711202.

... .. Petitioner/s

Versus

1. The State Bank of India through its Chairman, State Bank Bhawan, M.C. Road, Nariman Point, Mumbai- 400021.
2. The General Manager, State Bank of India, Zonal Office, Gandhi Maidan, Patna- 800001.
3. The Regional Manager, State Bank of India, Regional Business Office, Patna Central (Region-2), 3rd Floor, Administrative Office Building, Judges Court Road- 800028.
4. The Branch Manager, State Bank of India, Personal Banking Branch, Doctors Colony, Kankarbagh, Patna.
5. The Punjab National Bank through its Chairman, Sector-10, Dwarka, New Delhi- 110075.
6. The General Manager, Punjab National Bank, R-Block- 2nd Floor, Near Chanakya Hotel, Veer Chand Patel Path, Patna-800001.
7. The Regional Manager, Punjab National Bank, R- Block, 2nd Floor, Near Chanakya Hotel, Veer Chand Patel Path, Patna- 800001.
8. The Branch Manager, Punjab National Bank, Kankarbagh, Patna.
9. Bank of Baroda through its Chairman, Baroda Bhawan, R-C. Dutt Road, Alka Puri, Baroda- 390097, Gujrat.
10. The General Manager, Bank of Baroda, 5th Floor, Aand Vihar, West Boring Canal Road, Patna- 800001.
11. The Regional Manager, Bank of Baroda, 4th Floor, Aand Vihar, West Boring Canal Road, Patna- 800001
12. The Branch Manager, Bank of Baroda, PBS, Kankarbagh, Patna.
13. Central Bank of India through its Chairman, Chandermukhi, Marinam Point, Mumbai- 400021.
14. The General Manager, Central Bank of India, Block- B, 2nd Floor, Maurya Lok Complex, New Dak Banglaw Road, Patna- 800001.
15. The Regional Manager, Central Bank of India, Block- B, 2nd Floor, Maurya Lok Complex, New Dak Banglaw Road, Patna- 800001.
16. The Branch Manager, Central Bank of India, Lohiya Nagar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate



For Respondent Nos. 01 to 04 : Mr. Binod Bihari Sinha, Advocate
For Respondent Nos. 05 to 08 : Mr. Mritunjay Kumar, Advocate
For Respondent Nos. 09 to 12 : Mr. Sanjay singh Thapar, Advocate
For Respondent Nos. 13 to 16 : Ms. Nishi Nath Ojha, Advocate
For the Intervenor : Dr. Nand Kishor Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 25-04-2024 This application has been filed for issuance of direction(s) to the respondent to make payment to the petitioner which was deposited in the respondents' banks by the executants of a last will and testament of late Mita Chaudhary in view of judgment dated 17.05.2022 passed in Probate Case no. 92 of 2020 and its probate certificate dated 17.01.2023 passed/ issued by the learned Additional District Judge- XVIth, Patna.

2. The claim of Ram Krishna Mission is pursuant to the order of probate case as the testatrix has decreed all her property in favour of Ram Krishna Mission. The probate case was allowed in favour of Ram Krishna Mission, thereafter, Ram Krishna Mission has approached the respondent banks for release of the amount lying with them in the account of Late Mita Chaudhary.

3. The respondent banks have been approached by one Deboprio Banerjee claiming to be the legal heir of the testator. Deboprio Banerjee had not made any objection in the probate case.

4. Learned counsel for Deboprio Banerjee submits



that Deboprio Banerjee has got one succession certificate in her favour in which Ram Krishna Mission was not made a party.

5. The amount is lying in the banks without any use. If the amount is released in favour of Ram Krishna Mission, it shall put to use for public purpose.

6. The interest of Deboprio Banerjee is protected by this Court by directing the banks to take indemnity bond from Ram Krishna Mission that if ultimately Deboprio Banerjee succeeds in the litigation, she shall be given the amount by the Ram Krishna Mission. The learned counsel for the Deboprio Banerjee has no objection to this.

7. This application is allowed in the aforesaid terms and conditions.

(Sandeep Kumar, J)

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