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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 7906 of 2024

Anjali Roy Majumdar & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Shounak Mukherjee,
Mr. Sananda Ganguli
... for the petitioners

Ms. Sima Adhikari,
Mr. Atarul Haque Molla
...for the State

Ms. Deblina Lahiri,
Mr. Mrinmoy Chatterjee
...for respondent no. 2-Bank

Mr. Sourav Mondal,
Ms. Esha Das
...for the respondent no. 3

1. Affidavits-of-service filed in Court today be kept on record.

2. Learned counsel for the petitioners raises an issue before this Court pertaining to two pension accounts of the petitioner no. 1, both held with the respondent-Bank. One of the pension accounts carries the petitioner no. 1's name as "Anjali Roy Majumdar" and the other "Anjali Majumdar". One of the accounts relates to the pension to which the petitioner no. 1 is entitled for her previous service

and the other is a family pension account in character.

3. Although the petitioner no. 1 had duly produced the documents of identification, of late, the respondent-Bank is withholding the release/disbursal of the amounts accruing in the said accounts in favour of the petitioner no. 1.

4. It is relevant to mention that the petitioner no. 2, the daughter of the petitioner no. 1, has been withdrawing the amounts by virtue of due letter of authority granted by the petitioner no. 1 due to the advanced years and ailment of the petitioner no. 1.

5. Learned counsel for the Bank submits that although there are two different accounts, one carrying the surname of the petitioner no. 1 as "Roy Majumdar" and other as "Majumdar", both the letters of authorization furnished by the petitioner no. 2, issued by the petitioner no. 1 in her favour, carry the surname "Majumdar". Hence, the petitioners have merely been advised by the Bank to furnish proper letters of authority, pertaining to the correct surname as appearing in the respective accounts.

6. That apart, since there is a discrepancy between the surnames of the petitioner no. 1 as appearing respectively in her Aadhar Card and PAN Card, the petitioner no. 1 has also been advised to

rectify the same. However, it is made clear by the Bank that the future rectification of the Aadhar Card and PAN Card is not a ground on which the Bank is withholding the disbursal.

7. The issue boils down simpliciter to the petitioner no. 1 having erroneously furnished letters of authority for both the pension accounts in the name of “Anjali Majumdar” instead of “Anjali Roy Majumdar” for the concerned account where the petitioner no. 1’s surname appears so.

8. Hence, the purpose of justice would be sub-served in the event the petitioners are permitted to use a fresh letter of authority for each of the respective accounts, furnishing the correct surname of the petitioner no. 1, to resolve unnecessary procedural wrangles.

9. Insofar as the identity of the petitioner no. 1 is concerned, with regard to both the surnames, although an affidavit affirmed before a First Class Magistrate has been produced before the Court by annexing the same to the writ petition, identity is not a germane issue here, since from the perspective of the Bank, the petitioner no. 1 can be viewed notionally as two persons, being individual account holders in each of her pension accounts for which respective KYC (Know Your Customer) documents have already been furnished.

10. According, W.P.A. No. 7906 of 2024 is disposed of by granting liberty to the petitioner no. 1 to issue proper letters of authority for operation of each of her pension accounts to the petitioner no. 2, that is, her daughter, in the light of the above observations.

11. Subject to such separate and proper letters of authority being furnished by the petitioner no. 2, the respondent no. 2-Bank shall permit the petitioner no. 1, through the petitioner no. 2 or independently, as the case may be, to operate such accounts and withdraw the monies deposited therein.

12. There will be no order as to costs.

13. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of all necessary formalities.

(Sabyasachi Bhattacharyya, J.)