

**IN THE HIGH COURT OF JUDICATURE AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE**

HEARD ON: 05.08.2024

DELIVERED ON: 05.08.2024

CORAM:

**THE HON'BLE MR. CHIEF JUSTICE T.S. SIVAGNANAM
AND
THE HON'BLE MR. JUSTICE HIRANMAY BHATTACHARYYA**

**M.A.T. 541 of 2024
With
I.A.No. CAN 1 of 2024
With
CAN 2 of 2024**

**Moutusi Mondal
Versus
Indian Bank & Ors.**

**Appearance:-
Mr. Om Narayan Rai
Ms. Piyas Chowdhury**

.....For the Bank

JUDGMENT

(Judgment of the Court was delivered by T.S. SIVAGNANAM, C.J.)

1. This intra-Court appeal is directed against the order dated 15th December, 2023 in W.P.A. No.20797 of 2023 filed by the appellant herein contending that she is the daughter of the deceased account holder with the respondent bank sought for information regarding the account of her late father.

2. The respondent/bank refused the same and an application was filed under the Right to Information Act, 2005 and it appears that the appellant did not prosecute the matter further and filed the instant writ petition.
3. The respondent/bank before the learned Single Bench contended that the account was held by the deceased father of the writ petitioner jointly with his wife who the mother of the writ petitioner in 'either or survivor' mode and upon demise of one of the account holders, such account devolves upon the other.
4. In any event, this issue cannot be adjudicated in a writ petition, more particularly, considering the nature of the account viz. 'either or survivor'.
5. Thus, we find that the observations made by the learned Single Bench ultimately leading to the dismissal of the writ petition does not warrant any interference.
6. For the above reasons, the appeal and the connected applications stand dismissed.
7. No costs.
8. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(T.S. SIVAGNANAM)
CHIEF JUSTICE

I agree.

(HIRANMAY BHATTACHARYYA, J.)