

OD -5

ORDER SHEET

WPO/623/2024
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

MOUPIYA MUKHERJEE
VS
INDIAN BANK AND ORS.

BEFORE:
The Hon'ble JUSTICE SHAMPA SARKAR
Date: 30th July, 2024.

Appearance:
Mr. Soumya Majumder, Adv.
Ms. Sanjukta Dutta, Adv.
...For the Petitioner

Mr. S. Pal Chaudhury, Adv.
Ms. T. Paul, Adv.
Ms. S. Paul, Adv.
...for the respondents

The Court: Having perused the records produced by the bank, it appears that the nomination in the fixed deposit accounts of late Chhabi Mukherjee, paternal grand-mother of the petitioner was changed after her death. It has already been recorded by the Court in the previous order that the nominee was only the custodian and could hold monies, in trust for the other heirs.

This Court directs the Manager, Indian Bank, Bamangachi Branch to distribute the monies which are lying in the accounts of the deceased, late Chhabi Mukherjee, amongst the heirs in equal proportions unless there is any other document legally executed by the deceased, which indicates that the

money would go to any one heir or to another person. The amounts shall be paid upon obtaining necessary undertakings and upon compliance of formalities, by each of the heir/heirs. Petitioner shall communicate this order to the other heir/heirs of the deceased late Chhabi Mukherjee and the petitioner shall supply the name and address of the heir/heirs to the Manager, Indian Bank. Accordingly, Manager, Indian Bank shall take steps. All parties will be called to the bank and the matter will be resolved.

Needless to mention that the entire exercise shall be completed within a period of two months from the date of communication of this order.

WPO 623 of 2024 is disposed of.

All parties to act on a server copy of this order.

(SHAMPA SARKAR, J.)

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