

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10253 of 2018

Dr. Guru Dayal Kumar Sinha Son of Late Dr. Muneshwar Dayal, Resident of Mohalla- Ramdhanpur, Post Office Police Station- Kotwali, District- Gaya at present posted as Medical Officer, Primary Health Centre, Sonbarsa Block, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Health Department, Government of Bihar, Patna.
2. Allahabad Bank through Chairman-cum-Managing Director, Allahabad Bank, 2- Netaji Subhas Marg, Police Station Netaji Nagar, Kolkata 700001
3. The Branch Manager, Allahabad Bank, Malangwa Road Branch, Police Station- Sonbarsa, District- Sitamarhi-843330
4. The Branch Manager, Allahabad Bank, Pulpar Branch, Bihar Sharif, Police Station- Kotwali, District- Nalanda

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Kishun Chand Kumar Sinha, Advocate
	:	Mr. Manoj Kr. Sinha, Advocate
For the Respondent/s	:	Mr.Braj Bhushan Mishra, AC to AAG-9
	:	Mr. Nishi Nath Ojha, Advocate
	:	Mr. S.K. Sharma, Advocate

CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY
ORAL ORDER

2 02-07-2025 **1.** I.A. No. 01/2024 is filed by the son of the Writ petitioner for substitution of the Writ petitioner, as the petitioner died on 10.09.2024. The family member certificate was not enclosed along with the Interlocutory Application.

2. On perusal of the record, it is evident that the Writ petition was filed by the sole



petitioner, Dr. Guru Dayal Kumar Sinha (no more), for removal of clog from the petitioner's Saving Account No. 21755062440, in Allahabad Bank, Bihar Sharif Branch, whereby hold has been imposed by the respondents and the sole petitioner was not allowed to withdraw the amount from his account. Further for a direction to compensate the damages he had sustained due to illegal act of the respondents.

3. On perusal of the relief claimed by the petitioner, it is evident that the amount in question are still lying in the savings account of sole petitioner. If at all the son of the petitioner is entitled to claim the said amount he must have file a succession case before the concerned civil Court. Thereafter, the Writ petition itself is not maintainable. However, liberty is granted to the son of the sole petitioner i.e. Dr. Surya Prakash to



approach the appropriate civil court for obtaining the succession certificate.

4. With the above said observations, the Writ petition stands disposed of.

(G. Anupama Chakravarthy, J)

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