

07.07.2025.
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Ct.No.7.
as

WPA 3631 of 2022

Smt. Sandhya Das & Anr.
Vs.
Union of India & Ors.

Mr. Goutam Misra,
Mr. Vaskar Pal.

...for the Petitioners.

Mr. Tarun Kr. Ghosh,
Ms. Suvasree Ghosh.

..for the Respondent Nos.7 to 9.

Mr. Abhishek Banerjee.

...for the Respondent No.6.

1. Despite service, Indian Overseas Bank is unrepresented.

2. The present writ petition, in essence, seeks a direction upon the concerned banks to release the amounts deposited and accumulated, along with interest, in the accounts maintained by the petitioners' predecessor-in-interest with two banks, namely, Indian Overseas Bank and Punjab National Bank.

3. Mr. Misra, learned advocate appearing for the petitioners, submits that the husband of petitioner no. 1 and the father of petitioner no. 2, Mr. Swapan Kumar Das, maintained accounts with Punjab National Bank, then operating from premises no. 88, Sarat Bose Road, Mahajati Bose Nagar, Birati, bearing A/c No. 1521100200400, as well as with Indian Overseas Bank, Diamond Harbour Road, Block-A, New Alipore, Kolkata, bearing A/c No. 044001000009456. It is submitted that during his lifetime,

Mr. Das deposited certain amounts in a savings bank account with Indian Overseas Bank and made fixed deposits with Punjab National Bank. In both accounts, the private respondents were named as nominees.

4. He submits that immediately after the death of the account holder, the present petitioners, being the beneficiaries, submitted representations before the respective banks for release of the amounts deposited and accumulated with interest in those accounts directly in favour of the petitioners. However, despite receipt of such representations, no effective steps have been taken. Such inaction has compelled the petitioners to prefer this writ petition.

5. He submits that a direction be given upon the concerned respondents to release the said amounts directly in favour of the petitioners.

6. Mr. Ghosh, learned advocate representing respondent Nos. 7 to 9, i.e., the nominees, submits that although the private respondents have been appointed as nominees in respect of the said accounts, if a direction is given to the banks to release the amounts in favour of the beneficiaries, they will not stand in the way.

7. Mr. Banerjee, learned advocate representing respondent No. 6, Punjab National Bank, submits that if a direction is given to the Bank to release the amount directly in favour of the beneficiaries, the amounts shall be disbursed and/or released in favour of the petitioners.

8. Heard the learned Advocates appearing for the respective parties and perused the materials on record.

9. Although there is a joinder of causes of action, having regard to the facts and circumstances of the case, I deem it appropriate to disregard this technical aspect.

10. Taking note of the stand taken by the nominees and considering the facts and circumstances involved in the writ petition, I am of the view that the interest of justice will be served if a direction is given to Punjab National Bank and Indian Overseas Bank to release the amount deposited and accumulated with interest in the accounts opened and maintained by Mr. Swapan Kumar Das during his lifetime directly in favour of the petitioners in equal shares.

11. Accordingly, respondent no. 4 is directed to release the amounts deposited and accumulated, along with interest, in the accounts opened and maintained by Mr. Swapan Kumar Das, in favour of the petitioners in equal shares, upon completion of all requisite formalities. Respondent no. 6 is also directed to disbursement of the amounts lying in the accounts maintained by Mr. Das, along with accrued interest, to the petitioners in equal shares, subject to compliance with all necessary formalities.

12. The entire exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

13. With this observation, the writ petition is, thus, disposed of.

14. There will be no order as to costs.

(Partha Sarathi Chatterjee, J.)

