

27-08-2025
Item No.24
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
Appellate Side

WPA No.9507 of 2025
Debashis Bhattacharya

-vs-

The State Bank of India & Ors.

Mr. Pappu Adhikari ...for the petitioner

Mr. Tanmoy Kumar Ghosh, SGA
Mr. Santanu Chattopadhyay ...for the State

Mr. Subhendu Bandyopadhyay
Mr. Arka Mondal ...for the bank

Mr. Sajal Kanti Bhattacharya...for respondent no 6

1. Case of the petitioner is that he is a pensioner and his pension is being deposited in an account which jointly stands in the name of the petitioner and his wife. The relationship between them is acrimonious. The wife had objected to the operation of the bank account by the petitioner solely.
2. Learned counsel for the petitioner seeks a direction upon the bank to permit the petitioner to withdraw amount from his pension account independently.
3. Learned counsel for the State Bank of India submits that in view of the objection raised by the joint account holder, the bank is not in a position to permit the petitioner to operate their bank account single handedly. The objection filed by the wife of the petitioner has been placed before this Court.

4. From the documents annexed to the writ petition, it appears that the subject account stands in the name of the petitioner and one Smt. Lovely Bhattacharya. One of the joint holders has objected to the operation of the bank account by the other.
5. It appears that the wife of the petitioner who is objecting to the operation of the bank account has not been impleaded as party in the instant writ petition. Any order passed against the said objector in her absence may not be proper.
6. Accordingly no order can be passed in favour of the petitioner for operating the bank account singly.
7. It will be open for the petitioner to take up the matter with the bank highlighting his prayer for withdrawal of money which is being deposited as his pension. The concerned officer of the bank is directed to take steps for resolution of the dispute upon hearing the petitioner and the objector.
8. The writ petition stands disposed of.
9. All parties are to act on the server copy of this order duly downloaded from the official website of this court.
10. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

