ML-113

04.08.2025
Court No.26
(AD)

MAT 799 of 2025
With
IA No.: CAN 1 of 2025

Malati Mondal & Ors.
Vs.
Central Bank of India & Ors.

Mr. Biswaroop Bhattacharya, Advocate
Mr. Ayan Kumar Boral, Advocate
Mr. Debabrata Basu Roy, Advocate
.. for the appellants

Mr. Devajyoti Barman, Advocate
Ms. Sanjukta Basu Mallick, Advocate
... for the writ petitioner/respondent no.1

Mr. Dibashis Basu, Advocate
Mr. Arun Bandyopadhyay, Advocate
... for the Union of India

Mr. Dhiraj Trivedi, Ld. Sr. Advocate
Mr. Subhajit Chatterjee, Advocate
Mr. Rudra Dev Bagchi, Advocate
Ms. Katha Sarkar, Advocate
... for the respondent no.4

1. Four affidavits of the appellants filed in Court be taken on record.
2. By the four affidavits, the appellants undertake to make over vacant and peaceful possession of the immovable property concerned to the purchaser being the respondent no.4 in the present appeal on or before April 30, 2026.
3. Pursuant to our earlier order, learned Advocate appearing for the bank submits that, a sum of

Rs.4 lakh and odd is lying in the savings bank account of the deceased borrower. He submits that, such sum may be directed to made over to the appellants as heirs and legal representatives of the deceased borrower on making over vacant possession of the immovable property to the respondent no.4.

4. Interest is sought for on behalf of the appellants with regard to the amount lying in the savings bank account.

5. In view of the undertaking submitted in Court, the appellants will make over vacant and peaceful possession of the immovable property concerned to the respondent no.4 on or before April 30, 2026.

6. Bank will make over the proceeds of the savings bank account lying in the name of the deceased borrower along with accrued interest at the savings bank interest rate to the appellants, as heirs and legal representatives of the deceased borrower, simultaneously upon the appellants making over vacant and peaceful possession of the immovable property to the respondent no.4.

7. On making over vacant and peaceful possession of the immovable property concerned, bank will issue 'No Due Certificate' in favour of the appellants in respect of the account of the deceased borrower.

8. With the aforesaid directions, **MAT 799 of 2025** and **IA No.: CAN 1 of 2025** are **disposed of** accordingly.

(Debangsu Basak, J.)

(Prasenjit Biswas, J.)