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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

VASANT
ANANDRAO
IDHOL

WRIT PETITION NO.16037 OF 2025

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by VASANT
ANANDRAO
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Date: 2025.12.31
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Sana Sirajuddin Mukadam	)	
Age : 30 years, Occu : Service,	)	
having present address at Flat No.1403,	)	
Sosiyo Apts, Belvedere Hill, Nr.Mazgaon	)	
Garden Mazgaon, Mumbai – 400 010.	)	
Currently Residing at : Dubai, U.A.E.	)	
Through Her POA :	)	
Mr.Y.U. Kharkar	)	...Petitioner
	)	
..Versus..	)	
	)	
1. Union of India,	)	
Through the Government Pleader	)	
(Appellate Side),	)	
High Court Bombay.	)	
	)	
2. Post Master, Dapoli,	)	
Dapoli, M.D.G. Post Office	)	
having address at :	)	
Veer Savarkar Road,	)	
Dapoli, Maharashtra -415 712.	)	
	)	
3. Post Master,	)	
CST, Mumbai, Mumbai – 400 001.	)	...Respondents

Mr.M.A. Khan with Mr.H.I. Sirguroh and Ms.Misbah Baig for
the Petitioner.

Mr.Mohamedali M. Chunawala i/b Mr.A.A. Ansari for the

Respondents.

Mr.Ajay Krishna Kadam, Assistant Superintendent of Post Office,
Chiplun Sub-Division, Ratnagiri Division present in Court.

CORAM : REVATI MOHITE DERE &
SANDESH D. PATIL, JJ.
DATE : 16TH DECEMBER, 2025.

JUDGMENT (Per Sandesh D. Patil, J.) :-

1. The Petitioner has approached this Court and sought
the following reliefs :-

“(a). That this Hon’ble Court be pleased to issue writ of Mandamus or any writ and order under Article 226 of Constitution of India to declare that letter dated 24.3.2023 bearing No.FS-10/19/2020-FS at EXHIBIT-F issued by Respondent is arbitrary, capricious, malafide and unjust and is not applicable to Petitioner.

“(b). That this Court be pleased to issue writ of Mandamus or any writ and order under Article 226 of Constitution of India to direct the Respondent No.2 and 3 to immediately transfer the maturity amounts of FD No.4239853543 and FD No.4258411779, along with any accrued interest, into the Petitioner’s designated account at Canara Bank, Mazgaon Branch, Account No.2668101106654, with the Code Number – 2668. IFSC code.”

2. The Petitioner is a married woman, and stays with her husband and children in Dubai. She has given her Power of Attorney to one, Mr. Yatin Kharkar on 28th March, 2022, to act for and on her behalf. She states that she has got the following

FDR with the Respondent No.2 :-

FDR No.	Date of Investment	Amount of Investment	Date of Maturity	Amount of Maturity
4239853543	27.12.2018	9,00,000/-	27.12.2023	12,22,395
4258411779	16.01.2019	15,00,000/-	16.01.2024	22,03,992

3. It is the contention of the Petitioner that on 27th February, 2024, by an email she requested the Postmaster, Ratnagiri, Dapoli, i.e. Respondent No.2 to transfer the maturity amount of the FDR to her bank account No.2668101106654 at Canara Bank, Mazgaon Branch with the Code Number – 2668.

4. The learned counsel for the Petitioner states that the Respondents refused withdrawal / payment through the Power of Attorney, and that, in support of their contention, the Respondent No.2 attached an email dated 11th December, 2024, a copy of letter dated 24th March, 2023 addressed by the Government of India, Ministry of Communication to the Chief Postmaster General, Kerala Circle, Thiruvananthapuram. Learned counsel for the Petitioner stated that the FDR as mentioned above have matured, however, the Petitioner has not received the credit in

her account. Learned counsel for the Petitioner states that the Petitioner is unable to come to India, as she is married, settled and is staying at Dubai. Learned counsel states that the Petitioner has got her bank account, the details of which are given by the Petitioner to the Respondents. However, in spite of the same, the Respondents are not crediting the amount due to the Petitioner in her Bank Account. Learned counsel for the Petitioner therefore, prays that the Petition be allowed.

5. We had issued notice to the Respondents on 3rd December 2025. By the said order, we had directed the Respondents to depute a Senior Officer to remain present before this Court.

6. Pursuant to the order passed by us, Mr. Ajay Krishna Kadam, Assistant Superintendent of Post Office, Chiplun Sub-Division, Ratnagiri Division was present. Learned advocate appearing for the Respondents stated that it is mandatory for the Petitioner to remain present before the Respondent No.2 in order

to get the maturity amount credited in her account. He submitted that the reason for the Petitioner's presence is, to verify the credentials of the person, who has made the fixed deposits. He submits that since the Petitioner is not coming before them, they are unable to process the application of the Petitioner. He states that it is imperative on the part of the Petitioner to remain present before the Respondent No.2. Accordingly, he sought dismissal of the Petition.

7. We have heard the learned counsel appearing for the parties. The Petitioner is residing at Dubai along with her husband and her children. She has already given a Power of Attorney to one Mr. Yatin Kharkar. Further, she has given her account number, in which the amount due to her, by virtue of maturity of the FDR can be credited. The Petitioner is ready to appear before the Authority on V.C. and is also ready to furnish her Aadhar Card and other necessary documents in lieu of her identification. The Petitioner is also ready to give an indemnity bond, if so required. We are of the opinion, that the identity of

the Petitioner can very well be verified by taking her documents online and asking her to remain present on the V.C. Resultantly, we pass the following order :-

ORDER:

- i). In view of the peculiar facts and circumstances of the case, we direct the Respondent No.2 to interact with the Petitioner on V.C.
- ii). The Petitioner to submit her identity proof in the nature of Aadhar Card, Pan Card or any other documents, duly attested by her, as sought for by the Respondent No.2.
- iii). The Respondent No.2 to credit the amount due to the Petitioner on account of the maturity of the FDR of the Petitioner directly in the Petitioner's bank account viz. Bank Account No.2668101106654 at Canara Bank, Mazgaon Branch with the Code Number – 2668.
- iv). It is made clear that the above order is passed in view of the peculiar facts and circumstances of the case, and shall not be treated to be a precedent.

v). The Petition is disposed of accordingly.

8. All parties to act on the authenticated copy of this order.

(SANDESH D. PATIL, J.)

(REVATI MOHITE DERE, J.)