

(2025) 01 JH CK 0030

Jharkhand High Court

Case No: W.P. (C) No.6167 Of 2023

Gayatri Devi

APPELLANT

Vs

Branch Manager, State Bank of
India

RESPONDENT

Date of Decision: Jan. 2, 2025

Acts Referred:

- Hindu Marriage Act, 1995 - Section 13(B)

Hon'ble Judges: Rajesh Shankar, J

Bench: Single Bench

Advocate: Arjun Narayan Deo, Pratyush Kumar

Final Decision: Disposed Of

Judgement

Rajesh Shankar, J

1. The present writ petition has been filed for issuance of direction upon the respondent no.1-Branch Manager, State Bank of India, Singhrawan,

District-Hazaribagh to close savings bank account no.11670323426 standing in the name of the petitioner as she had never asked any concerned

authority of SBI to open the said savings account in her individual name or in the joint name with the respondent no.3-Manish Kumar Manish.

2. Learned counsel for the petitioner submits that the petitioner was married to the respondent no.3 on 16th April, 2000 according to Hindu Rites and

Customs at Mohalla-Shivpuri, P.O.-Hazaribagh, P.S.-Lohsinghna, District-Hazaribagh, which is her parental place. At the time of solemnization of

marriage, the respondent no.3 was employed as an agent in SBI Life Insurance and was subsequently promoted to the post of Branch Manager. The

petitioner and the respondent no.3 stayed together peacefully for sometime and were also blessed with one daughter and one son. However,

subsequently their matrimonial relationship got strained which led to filing of a case for mutual divorce being Original (Matrimonial Title) Suit No.42 of

2018 in the court of Principal Judge, Family Court, Hazaribagh. The said matrimonial suit was disposed of vide judgement dated 30th August, 2018

granting decree of divorce under Section 13(B) of the Hindu Marriage Act, 1995.

3. Thereafter, the petitioner started residing in Delhi in a rented house for the purpose of education of her children. While, the petitioner was in

process of opening savings bank account at SBI Palam Branch, Dabri More, Delhi, she came to know that another saving account i.e. account

no.11670323426 in her name was in operation at Singhrawan Branch, Hazaribagh. In fact, the petitioner had never opened the said saving bank

account and she has the reasons to believe that the respondent no.3 had fraudulently opened the said account in her name. The petitioner also

represented the respondent no.1 in this regard, however, the same was not responded which has compelled her to prefer the present writ petition.

4. Mr. Pratyush Kumar, learned counsel appearing on behalf of the respondent no.1 submits that the claim of the petitioner is required to be factually

examined and hence, if she files a fresh representation in this regard along with the required documents, the said claim will be properly examined.

5. Having heard learned counsel for the parties and considering the nature of the prayer made in the writ petition, without commenting on the factual

claim made by the petitioner in the present writ petition, she is given liberty to prefer a fresh representation before the respondent no.1-Branch

Manager, State Bank of India, Singhrawan Branch, District-Hazaribagh, who after receipt of the same shall get an enquiry conducted in this regard

and shall inform the outcome of the same with reasons thereof to the petitioner within two months from the date of filing of the representation.

6. The writ petition is, accordingly, disposed of with the aforesaid liberty and direction.