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HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 27492 of 2026

Smt. Parveen Jahan

.....Petitioner(s)

Versus

State of U.P. and Another

.....Respondent(s)

Counsel for Petitioner(s)	:	Raj Kumar Dhama
Counsel for Respondent(s)	:	Parshuram Chaubey, C.S.C., Satish Chaturvedi, Vivek Kumar Singh

Court No. - 1

HON'BLE AJIT KUMAR, J.
HON'BLE GARIMA PRASHAD, J.

1. Learned counsel for the petitioner submits that today the account holder, who was in the state of Coma, has passed away, however, the Central Government is hide bound in law to comply with the observations made by this Court in the case of **Uma Mittal & Others v. Union of India & Others, 2020 SCC OnLine All 777**, but no such steps have been taken as yet.

2. In our previous order dated 11.08.2026, we had reproduced the entire directions and thereafter, the Chief Secretary was summoned was even directed to file an affidavit under the order dated 29.09.2026 as to what steps have been taken in compliance of the orders of this Court. An affidavit was filed of Chief Secretary seeking further time as it would have required a long drawn exercise in getting proper legislation passed by the competent Legislature. We had also issued directions to the Union of India in respect of para 27 of the judgment in **Uma Mittal** *(supra)*, but Mr. Vivek Singh, learned Senior panel counsel submits that he has no instructions in the matter.

3. It is indeed a matter of concern that a person who passes in state of Coma, the dependents become absolutely remediless in a sense that they do not have necessary fund and source of finances and to not only take care of the patient by meeting the expenses of the hospital but even to manage the house holds.

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4. In the circumstances, therefore, some sort of legislation from the competent legislature or even the guidelines necessary from the Reserve Bank of India regulating the nationalized bank and subsidiary banks to the nationalized banks for providing necessary mechanism as to how the money lying in the savings bank account of such patients can be released in favour of the dependents. The Central Government, therefore, has to come up with its stand on the issue in black and white. We also need Reserve Bank of India to give its response on the above issue and accordingly we direct the petitioner to implead the Reserve Bank of India through its Executive Director (Banking Regulation), Central Office Building, Shaheed Bhagat Singh Road, Fort, Mumbai PIN - 400001 and Union of India through its Secretary, Ministry of Finance, New Delhi as respondents.

5. Let the Central Government and Reserve Bank of India file their respective affidavits to be sworn by their officials as to what proposals they have or place, if they have framed guidelines to attend such situations and circumstances which are special and call for an emergent action.

6. The State Government at its own level can consider enforcement of guidelines framed by the Division Bench of **Kerala High Court in Shobha Gopalakrishnan v. State of Kerala; 2019 SCC OnLine Ker 739** which were referred to vide paragraph 28 in the case of **Uma Mittal** *(supra)*. The Chief Secretary this time would be coming up with something concrete and substantial done at his level to find solution to the problem in the light of observations made in the case of **Uma Mittal** *(supra)*. We make it clear that if the Chief Secretary does not come up with such solution in black and white, he will have to appear in person before this Court on the next date fixed.

7. The Reserve Bank of India and the Central Government will have to file their respective affidavits, failing which the Court will be compelled to summon the responsible officers of both the Central Government as well as Reserve Bank of India.

8. We may clarify here that the affidavits to be filed shall be after

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according due consideration to the observations made by this Court and guidelines laid down in the case of **Uma Mittal** *(supra)*. We make it further clear that in the meanwhile it will be remain open for the petitioner to apply for succession to get the amount lying in the savings bank account of the deceased released in her favour.

9. Sri Vivek Kumar Singh, learned Advocate has accepted notice on behalf of Union of India.

10. Issue notice to Reserve Bank of India within four weeks.

11. Steps for service be taken within three days.

12. The matter is directed to be posted again on 06.11.2026.

(Garima Prashad,J.) (Ajit Kumar,J.)

October 8, 2026
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