

Court No. - 39

Case :- WRIT - C No. - 35664 of 2023

Petitioner :- Sanjay Kumar

Respondent :- State Bank Of India And 2 Others

Counsel for Petitioner :- Gunjan Sharma, Namit Kumar Sharma

Counsel for Respondent :- Satish Chaturvedi

Hon'ble Saumitra Dayal Singh, J.

Hon'ble Syed Qamar Hasan Rizvi, J.

1. The present writ petition has been filed for the following relief:-

"1. Issue a writ, order or direction in the nature of Mandamus commanding the respondent Nos. 2 and 3 to unhold the debit trasaction of petitioner's Saving Bank Account/Salary Accoount havng SB Accoount No. 33445872223 at State Bank of India, Jhunsu Branch, IFSC Code SBIN0005440."

2. Upon hearing the counsel for the parties, it is evident that other than one disputed transaction involving debit of Rs. 20,000/- no other amount debited from the petitioner's saving bank account is disputed.

3. Accordingly, we find the contention raised by the Bank to freeze the saving bank account of the petitioner and to restrain all of transactions, to be prima facie unreasonable.

4. Accordingly, the writ petition is disposed off at this stage, with observation subject to the final settlement with respect to the disputed amount of Rs. 20,000/-, at present the Bank may remain entitled to hold/retain an amount of Rs. 20,000/- in the petitioners' bank account and not allow for its withdrawal. However, over and above the disputed amount of Rs. 20,000/- the Bank may permit the petitioner, to operate his Bank Account.

5. Any dispute that may survive with respect to the amount of Rs. 20,000/- may be contested in accordance with law, before the appropriate forum.

Order Date :- 30.10.2023

Sumaira

(Syed Qamar Hasan Rizvi, J.) (Saumitra Dayal Singh, J.)