

Court No. - 3

Case :- WRIT - C No. - 9733 of 2023

Petitioner :- Sunny Verma

Respondent :- Ministry Of Home Affairs Of Union Of India
Thru. Secy. New Delhi And Another

Counsel for Petitioner :- Shiv Prakash Mishra, Amitabh Kumar
Tripathi, Ashish Kumar Shukla, Bal Krishna Dwivedi, Himanshu
Kumar Srivastav

Counsel for Respondent :- A.S.G.I., Vinay Shankar

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

Heard learned counsel for petitioner and Sri Vinay Shankar, learned counsel for the respondent no.2/Bank.

Petitioner has approached this Court claiming that respondent/Bank has withheld Rs.1.00 Lakh of the petitioner and is not returning the same.

Sri Vinay Shankar, learned counsel for the Bank states that the same is with regard to the cyber crime offence, hence the petitioner has two statutory alternative remedies; first to approach criminal Court concerned and the second is to approach the Consumer Forum as the relationship is that of consumer and service provider.

Learned counsel for petitioner submits that grievance of petitioner would be substantially met in case representation of petitioner for the said purposes is first considered and decided by the Bank itself, in a time bound manner.

Learned counsel for the Bank has no objection to the same.

In view thereof, petitioner is permitted to make a fresh detailed representation to respondent no.2- Branch Manager, Indian Overseas Bank, Aashiyana Branch, Lucknow, raising all his grievance, annexing therewith a copy of this writ petition along with annexures and all the documents in support of his claim within a period of one week

from today along with a certified copy of this order.

In case such a representation is moved by petitioner, respondent no.2, shall consider and decide the same in accordance with law by a reasoned and speaking order within a period of four weeks from the date a certified copy of this order along with representation is placed before him.

It is made clear that this court has not applied itself on the merits of the case and all questions are left open to be considered and decided by the competent authority in accordance with law.

With the aforesaid directions, present writ petition is ***disposed of***.

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(Manish Kumar, J.) (Vivek Chaudhary, J.)

Order Date :- 7.11.2023
Arjun/-