

GAHC010250382023



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : I.A.(Civil)/3344/2023

THE BRANCH MANAGER
GUWAHATI BRANCH, AXIS BANK LTD., CHIBBER HOUSE, G.S. ROAD,
GUWAHATI, PIN- 781005.

VERSUS

BOGIDHOLA TEA AND TRADING CO. (P) LTD., AND 2 ORS
A REGISTERED COMPANY, HAVING ITS REGISTERED OFFICE AT
BOGIDHOLA TEA ESTATE, P.O. LETEKUJAN-785613, GOLAGHAT, ASSAM
AND ADMN. HEAD OFFICE AT PARAG BHAWAN, 4TH FLOOR, ULUBARI,
G.S. ROAD, GUWAHATI-781007, REPRESENTED BY ITS EXECUTIVE
DIRECTOR, PRAVIR KR. ROY.

2:THE RESERVE BANK OF INDIA

REPRESENTED BY THE GOVERNOR
HAVING ITS HEAD OFFICE AT 18TH FLOOR
CENTRAL OFFICE BUILDING SHAHID BHAGAT SINGH ROAD
MUMBAI
PIN- 400001.

3:THE CHIEF GENERAL MANAGER

RESERVE BANK OF INDIA
REGIONAL OFFICE
STATION ROAD
MAWHATI
PAN BAZAR
GUWAHATI
PIN- 781001

Advocate for the Petitioner : MR. P DAS,

Advocate for the Respondent : MR B KAUSHIK,

Linked Case : WP(C)/5043/2023

BOGIDHOLA TEA AND TRADING CO. (P) LTD.

A REGISTERED COMPANY
HAVING ITS REGISTERED OFFICE AT BOGIDHOLA TEA ESTATE
P.O. LETEKUJAN-785613
GOLAGHAT
ASSAM AND ADMN. HEAD OFFICE AT PARAG BHAWAN
4TH FLOOR
ULUBARI
G.S. ROAD
GUWAHATI-781007
REPRESENTED BY ITS EXECUTIVE DIRECTOR
PRAVIR KR. ROY.

VERSUS

THE RESERVE BANK OF INDIA AND 4 ORS
REPRESENTED BY THE GOVERNOR
HAVING ITS HEAD OFFICE AT 18TH FLOOR
CENTRAL OFFICE BUILDING SHAHID BHAGAT SINGH ROAD
MUMBAI
PIN- 400001.

2:THE CHIEF GENERAL MANAGER

RESERVE BANK OF INDIA
REGIONAL OFFICE
STATION ROAD
MAWHATI
PAN BAZAR
GUWAHATI
PIN- 781001.

3:M/S. AXIS BANK LTD.

AXIS HOUSE
C-2
WADIA INTERNATIONAL CENTRE

PANDURANG BUDHKAR MARG
WORLI
MUMBAI-400025
REPRESENTED BY MANAGING DIRECTOR.

4:THE BRANCH MANAGER
GUWAHATI BRANCH
AXIS BANK LTD.
CHIBBER HOUSE
G.S. ROAD
GUWAHATI
PIN- 781005.

5:THE DEPUTY MANAGER
GUWAHATI BRANCH
AXIS BANK LTD.
CHIBBER HOUSE
G.S. ROAD
GUWAHATI
PIN- 781005.

Advocate for : MR B KAUSHIK

Advocate for : MR. P DAS (R- 3

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5) appearing for THE RESERVE BANK OF INDIA AND 4 ORS

BEFORE
HONOURABLE MR. JUSTICE N. UNNI KRISHNAN NAIR

ORDER

Date : 13.08.2024

Heard Mr. P. Das, learned counsel appearing on behalf of the applicant. Also heard Mr. Bedanta Kaushik, learned counsel appearing on behalf of the Opposite Party/writ petitioner.

The present interlocutory application has been instituted by the respondent No. 4, herein, i.e. Branch Manager, Axis Bank Ltd., Guwahati Branch, as an applicant, praying for the following directions:

“In the aforesaid premises, it is there- fore prayed that Your Lordships would graciously be pleased to pass order directing the writ petitioner to submit its {i}. if he is agreed to continue with its registered corporate office address, its {a} Certificate Of Incorporation" Or {b}. GST Registration certificate Or {c} Trade licence in the name of the Company against its registered office situated at Letekujan, Golaghat as latest/up-to-date address proof of its registered office address, Or any available acceptable documents from the list of 17 numbers of documents as per Annexure-A and G.

-OR-

{ii} The writ petitioner, if he is agreed to keep its local Admin office address as "Parag Bhawan, Ulubari, G.S. Road, Ghy, then the writ petitioner may be directed to submit the "Trade Licence" issued by the Guwahati Municipal Corporation to the Company against its local Admin office at Guwahati, showing its local office address as "Parag Bhawan, 4th floor, Ulubari, G.S. Road, Ghy, Or any available acceptable documents from the list of 17 numbers of documents as per Annexure-A and G, within 48 hours and upon failure, vacate the interim order dated 13/09/2023 passed in W.P.(c) No.5043/2023.”

The documents sought for from the petitioner Company by the applicant Bank in terms of the above prayer, are in the alternative.

Mr. Kaushik, learned counsel, has submitted that in terms of the directions passed by this Court vide order, dated 19.04.2024; the petitioner Company had submitted a certificate, dated 24.04.2024, from the Letukajan Gaon Panchayat verifying the address of the registered Office of the petitioner Company.

It is contended at the Bar that the said certificate as submitted by the petitioner Company vide communication, dated 25.04.2024, is one of the 17(seventeen) documents as mandated for the purpose of verifying the “KYC of a customer of a Bank”.

The said position is not disputed by the applicant Bank.

In the above view of the matter, the said certificate not having been disputed by the applicant, herein; the documents as sought for in terms of the prayers as made in the instant interlocutory application is to be held to have been complied with by the opposite parties/writ petitioners and accordingly, this Court is of the considered view that no further adjudication is called for in this interlocutory application and consequently, the same stands closed.

JUDGE

Comparing Assistant