

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF JULY
TWO THOUSAND AND FIFTEEN
PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.19902 of 2015

BETWEEN

Putta Durga Prasad.

... PETITIONER

AND

The Banking Ombudsman (AP & Telangana), RBI, 6-156, Secretariat Road,
Saifabad, Hyderabad and another.

...RESPONDENTS

Counsel for the Petitioner: MR. D.V. RAO

**Counsel for the Respondents: MR. B.S. PRASAD – R2
SC FOR SBI**

The Court made the following:

-
-
-

ORDER:

Petitioner's basic grievance is that his cheque was wrongly

dishonoured by the second respondent bank. The complaint made by the petitioner against the second respondent bank was closed by the first respondent on the second respondent bank filing a reply and informing the ombudsman that they have already expressed regret. The bank in its statement also stated that the signature of the account holder was not scanned properly at the time of presentation as cheque, hence, the delay and inconvenience caused was regretted and that they had immediately arranged for scanning of customer's signature. Learned ombudsman, therefore, observed that the bank has dealt with the case and there is no case for complaint.

Hence, the complaint was closed under clause 13(a) of the Banking Ombudsman Scheme, 2006. Petitioner seeks to question the said order on the ground that he was not heard while passing the said order.

2. In my view, if the petitioner is aggrieved by the action of the second respondent bank in dishonouring the cheque leading to monetary loss to him, it is open for the petitioner to move appropriate civil Court or consumer court, as the case may be, and seek appropriate relief from the second respondent bank. The relief sought for by the petitioner in this writ petition being beyond the scope of the Banking Ombudsman Scheme, 2006, I am not inclined to entertain the writ petition.

The writ petition is accordingly dismissed, however, with a liberty to the petitioner to approach the competent Court and seek appropriate relief, if he is so advised. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

July 2, 2015
DSK