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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) No.3972/2015 & CM No.7091/2015 (for interim relief).
H R VAISH & ORS. Petitioners
Through: Ms. Somya Singh, Adv.

versus

RESERVE BANK OF INDIA & ORS. Respondents
Through: Mr. K.S. Parihar, Mr. H.S. Parihar
and Mr. Kalam Singh, Adv. for RBI.
Mr. Punit K. Bhalla, Adv. for R-2.
Mr. Debarshi, Adv. for R-3.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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23.05.2016

1. This order is in continuation of the earlier order dated 23rd February, 2016.
2. The counsel for the petitioners today has drawn attention to the report in FIR No.18/2000 dated 10th February, 2009 under Sections 420, 467, 468, 471, 506 and 120B, Indian Penal Code, 1860 of the Police Station Economic Offences Wing (EOW) to the effect that the signatures of the complainant therein namely the petitioner no.1 H.R. Vaish herein on the loan documents were forged.
3. The counsel for the petitioners on enquiry whether not the said question i.e. whether the signatures are of the petitioner no.1 or not is also subject matter of the proceedings pending before the Debt Recovery Tribunal (DRT), though answers in the affirmative but states that the petitioners in this petition are wanting the respondent no.1 Reserve Bank of India (RBI) also to investigate the said aspect.

4. The counsel for the petitioners on enquiry states that a closure report has been filed in the said FIR but the proceedings before the Court of the Metropolitan Magistrate are still pending.

5. I am of the view that this petition would not lie for the petitioners to seek an investigation by the respondent no.1 RBI when the Court of the Metropolitan Magistrate as well the DRT are seized of the said aspect. The respondent no.1 RBI cannot be mandated to adjudicate such disputed questions of fact.

6. Else, this Court has in order dated 23rd February, 2016 already noted that no ground for entertaining the petition is made out.

Dismissed.

No costs.

RAJIV SAHAI ENDLAW, J

MAY 23, 2016

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