IN THE HIGH COURT OF DELHI AT NEW DELHI

Judgment Pronounced On: 16.09.2016

W.P.(C) 8181/2016

SCORPIOS APPARELS PVT LTD ..... Petitioner

Through: Mr. Sanjay Bhatt, Advocate with Mr. Abhishek Anand, Advocate

versus

BANK OF INDIA & ORS. ..... Respondents

Through: Mr. P.K. Mullick, Advocate for R-1
Mr. Sarfaraz Khan, Advocate with Mr. Ataur Rahman, Advocate for R-2
Mr. K.S. Parihar, Advocate with Mr. H.S. Parihar, Advocate for R-3 & R-4
Mr. Nitya Sharma, Advocate for Mr. Amit Mahajan, Advocate for R-5

CORAM:
HON'BLE MR JUSTICE SIDDHARTH MRIDUL

SIDDHARTH MRIDUL, J (ORAL)

CM APPL.33840/2016 (Exemption)

Exemption granted subject to all just exceptions.

The application is disposed of accordingly.

W.P.(C) 8181/2016

The present petition under Article 226 of the Constitution of India pays as follows:-

> "In the given circumstances, the petitioner humbly prays that this Hon'ble Court may be pleased to issue:-
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> a) That this Hon'ble Court be pleased to issue an appropriate writ, order or direction to the respondent No.1 Bank to issue No Due Certificate and release the security worth INR 42,97,348.99 (approx.42.97 Lacs) held by them in form of FDRs along with interest accrued thereon and permit release of the Original Title Deed of the property valued Rs.43,05,00,000 (approx 43 crores) (as on June, 2014, by Govt. approved valuer) by the respondent No.2;
> b) Such other or further orders/direction which may be deemed fit and proper in the facts and circumstances of the present case."

Issue notice.

Mr. P.K. Mullick, Mr. Ataur Rahman, Mr. K.S. Parihar and Mr. Nitya Sharma, Advocates accept notice on behalf of respondent Nos.1 and 2 and 3 and 4 respectively.

On hearing counsel for the parties, it emerges that the petitioner has already approached the office of the Banking Ombudsman on 18.07.2016, seeking the very relief prayed for in the present petition.

However, Mr. Bhatt, learned counsel appearing on behalf of the petitioner invites my attention to a communication dated 10.08.2016, received by the petitioner from the Banking Ombudsman, stating therein that the complaint filed by the former is currently being examined and would be disposed of within a period of three months thereof.

It is trite to state that expeditious disposal of the complaint, in my view, would be at the very core of the grievance redressal system, set up by the Reserve Bank of India, in relation to nationalized banks, by appointing a Banking Ombudsman.

In view of the foregoing, the direction that recommends itself is to request the Ombudsman to dispose of the complaint dated 18.07.2016, filed by the petitioner, expeditiously and positively within a period of two months from today.

With the above directions, the writ petition is allowed and disposed of accordingly.

A copy of this judgment be given *dasti* under the signature of Court Master to counsel for the parties.

SIDDHARTH MRIDUL, J

SEPTEMBER 16, 2016
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