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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ W.P.(C) 664/2017 and CM APPL. 3102/2017

J.P. SHARMA ..... Petitioner

Through: Petitioner in person.

versus

CHIEF GENERAL MANAGER, STATE BANK OF INDIA & ANR ..... Respondents

Through: Mr. S.L. Gupta, Advocate with Mr. Gaurav Khatana, Advocate

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI

<u>O R D E R</u>

% **25.01.2017**

1. The present petition has been filed by the petitioner praying *inter alia* for directions to the respondents/Bank to furnish him the full details and bifurcation and copies of the statement of accounts of the Consumer loan, Car loan and Personal loan obtained by him, by applying the staff rate of interest from January, 1999 to 21.01.2002 and further, to direct the respondents/Bank to pay him the differential amount.

2. The petitioner, who appears on person, submits that earlier hereto, he had filed two petitions against the respondents/Bank, registered as W.P.(C) 9446/2015 and W.P.(C) 7819/2016. Vide order dated 05.10.2015 passed in W.P.(C) 9446/2015, the respondents were directed to consider the grievance raised by the petitioner in the writ petition and decide the same by passing a

speaking order and liberty was granted to the petitioner to avail of his remedies available in law in case his grievance still survives. It is not disputed that pursuant to the said order, the respondents/Bank had communicated a decision to the petitioner.

3. Not satisfied with the decision taken by the respondents/Bank, the petitioner filed another petition, registered as W.P.(C)7819/2016, claiming *inter alia* that the subsequent calculations done by the Bank were also erroneous. He, however, confirmed that he had no complaint with regard to the interest charged by the respondents/Bank in respect of his housing loan. The dispute raised by the petitioner was with regard to the Personal loan, Consumer loan and Car loan and he claimed that the special rate of interest was applicable to him with regard to the said loans, totalling to a sum of Rs.1,35,000/-, which plea had not been considered by the respondents/Bank.

4. Vide order dated 05.09.2016, the captioned petition was disposed of with directions issued to the respondents/Bank to recalculate the interest component on the aforesaid loans and convey a decision to the petitioner within eight weeks. In terms of the said order, the respondents/Bank communicated its decision dated 27.10.2016 to the petitioner stating *inter alia* that interest has been recalculated in respect of the Personal loan, Consumer loan and Car loan and the said loan accounts were opened in the concerned branch as staff loan from the very beginning and the interest as applicable to staff has been applied to the said accounts. The details of the calculation of interest have also been furnished in the letter dated 27.10.2016.

5. The petitioner is again aggrieved by the said calculation and states

that the same is also incorrect and the respondents/Bank be called upon to substantiate the details of the calculation given in the impugned communication dated 27.10.2016 by furnishing him copies of the statement of accounts of each loan and the interest charged on all the loans and thereafter, pay him the differential amount.

6. Writ proceedings cannot be permitted to be used as an alternative route for gathering information under the RTI Act. There is a mechanism laid down in the said Act for obtaining information. If the petitioner wishes to seek certain information from the respondents/Bank, it is for him to file an appropriate application under RTI Act. In any case, disputed questions of facts have been raised in the present petition with regard to the basis of the interest calculated by the respondents/Bank as set out in the impugned communication, which cannot be gone into in these proceedings. This Court therefore declines to entertain the present petition.

7. Accordingly, the present petition is disposed of alongwith the pending application, with liberty granted to the petitioner to seek his remedies, if any, against the respondents/Bank in accordance with law.

HIMA KOHLI, J

JANUARY 25, 2017
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