

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (C) No. 1569 of 2013**

M/s Rasoi Veg Restaurant, Tarbahar Naka Bilaspur (C.G.), through its proprietor Mukesh Kumar Chouksey, S/o Late Shri Ramdayal Chouksey, aged about 51 years, R/o Tarbahar Naka Bilaspur, Revenue & Civil District Bilaspur, District Bilaspur (C.G.)

---- Petitioner

Versus

1. Chhattisgarh Gramin Bank, Sponsored by State Bank of India, through its Regional Manager, Regional office Chhattisgarh Gramin Bank, Vyapar Vihar Nehru Complex, Bilaspur, Revenue & Civil District Bilaspur, District Bilaspur (C.G.)
2. The Secretary Office of Banking Ombudsman (M.P. & C.G.) Bhopal Reserve Bank of India, 4th Floor, Hoshangabad Road, Bhopal (M.P.)
3. Reserve Bank of India, through its General Manager, Customer Service Department, Central Office, 1st Floor Amar Building, Sir P.M. Road, Fort Mumbai (Maharashtra)
4. Branch Manager, Chhattisgarh Gramin Bank, Link Road Branch, Branch Code No. 0402, In front of Motilal Petrol Pump, Link Road, Bilaspur (C.G.)

---- Respondents

For Petitioner	: Mr. Manoj Paranjpe, Advocate.
For Respondents No. 1 & 4	: Mr. B.D. Guru, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

11/07/2018

1. Learned counsel appearing for the petitioner would submit that petitioner's present complaint dated 01.05.2013 has been rejected on the ground that earlier complaint, filed by the petitioner, on the same allegation has already been closed after taking cognizance. He would further submit that the earlier complaint was materially different from the present complaint as, such the Banking Ombudsman be directed to consider and decide his present complaint independently by assigning

reasons for rejecting the complaint.

2. None for the respondents No. 2 & 3, thought served.

3. I have heard learned counsel appearing for the petitioner.

4. From perusal of earlier complaint and the subsequent complaint, it appears that both the complaints are quite different and not one and same . Even otherwise no specific reasons have been assigned by the Banking Ombudsman for rejecting the present complaint except that his earlier complaint on the same allegation has been rejected. Therefore, the impugned order dated 20.06.2013 is liable to be set aside.

5. In view of above, the impugned order dated 20.06.2013 is set aside and the respondent No. 2-Banking Ombudsman is directed to consider and decide the present complaint filed by the petitioner afresh in accordance with law expeditiously preferably within a period of four weeks from the date of receipt of certified copy of this order.

6. Accordingly, the writ petition is allowed to the extent indicated hereinabove.

Sd/-

(Sanjay K. Agrawal)

Judge

D/-

